United States Department of the Interior
Bureau of Land Management

Las Cruces Field Office

Final

Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico Volume 1

August 2000

BLM/NM/PL-00-011-1040

Mission Statement

It is the mission of the U.S. Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

BLM/NM/PL-00-011-1040

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Las Cruces Field Office
1800 Marquess St.
Las Cruces, New Mexico 88005
www.nm.blm.gov

Dear Reader,

Enclosed for your review and comment is the Proposed Las Cruces Riparian and Aquatic Habitat Management Plan (HMP) and the Final Environmental Impact Statement (FEIS) for riparian and aquatic habitats under the jurisdiction of the U.S. Bureau of Land Management (BLM) Las Cruces Field Office. The proposed HMP is based on Alternative 1, Current Management, which was presented and analyzed in the Draft Environmental Impact Statement (DEIS) for riparian and aquatic habitat management. The public notice of availability of the DEIS was published in the *Federal Register*, and the DEIS was made available to the public October 8, 1999, with a 90-day public comment period followed by a 30-day extension of the public comment period. The Bureau has selected Alternative 1, Current Management, as the agency's preferred alternative. The DEIS is included by reference but not duplicated in this document.

Following release of the DEIS, the BLM held informal open houses followed by formal public hearings on November 22 and 23, 1999, in Lordsburg and Las Cruces, New Mexico, respectively, to accept public comments and statements on the DEIS.

The BLM received comment letters and statements on the adequacy of the DEIS and the merits of the alternatives presented. The public comments resulted in modification of the FEIS.

Following the 30-day availability period for the proposed HMP and the FEIS, a Record of Decision (ROD) will be prepared for this project, and copies will be sent to those on the project mailing list. Individuals wanting to comment on the changes made in preparing the final HMP or the FEIS should send them to:

Bill Merhege
U.S. Bureau of Land Management
Las Cruces Field Office
1800 Marquess St.
Las Cruces, New Mexico 88005
(505) 525-4369

Any comments received will be considered in preparation of the ROD for this project.

Sincerely,

Amy Lueders, Manager
Las Cruces Field Office

ABSTRACT

Environmental Impact Statement
for Riparian and Aquatic Habitat Management
in the Las Cruces Field Office – New Mexico

Draft ( ) Final (x)

United States Department of the Interior, Bureau of Land Management (BLM)

1. Type of Action: Administrative (x) Legislative ( )

2. Proposed Action: To restore and protect riparian habitats under BLM jurisdiction in the Las Cruces Field Office in the former Mimbres Resource Area, which includes all or parts of Doña Ana, Luna, Hidalgo, and Grant Counties, New Mexico.

3. Abstract: This Final Environmental Impact Statement (FEIS) includes a Habitat Management Plan (HMP) (Volume 2) based on Alternative 1, Current Management, which was presented and analyzed in the Draft EIS that was issued October 8, 1999. The HMP, Volume 2 of this FEIS, discusses implementation of a set of policies and management guidance for riparian areas that was presented in the Mimbres Resource Management Plan. On the basis of these policies and management guidance, a set of actions specific to each riparian area under BLM jurisdiction provides a road map for present and future riparian activities. The desired outcome of implementing the HMP is achievement of proper functioning condition for all riparian areas and the protection and restoration of threatened and endangered species habitat.

4. Comments on the Draft EIS from individuals, groups, and agencies and the BLM responses to these comments are included in Volume 1.

5. For further information contact: Bill Merhege, Project Leader
   Bureau of Land Management
   Las Cruces Field Office
   1800 Marquess St.
   Las Cruces, New Mexico 88005
   505-525-4369

6. Date Final Filed with EPA:

7. Approved: _____
   Amy Lueders
   Field Manager

CONTENTS

TABLES

ABBREVIATIONS/ACRONYMS

ACEC	area of critical environmental concern
AUM	animal unit month
BE	biological evaluation
BLM	U.S. Bureau of Land Management
CFR	*Code of Federal Regulations*
CWAP	Clean Water Action Plan
DEIS	draft environmental impact statement
EA	environmental assessment
EIS	environmental impact statement
ESA	Endangered Species Act
^{o}F	degree(s) Fahrenheit
FEIS	final environmental impact statement
FLPMA	Federal Land Policy and Management Act of 1976
FY	fiscal year
HMP	habitat management plan
km	kilometer(s)
m	meter(s)
m^2	square meter(s)
NEPA	National Environmental Policy Act
NMDG&F	New Mexico Department of Game and Fish
PFC	proper functioning condition
RMP	resource management plan
TR	technical reference
USFWS	U.S. Fish and Wildlife Service
WSA	wilderness study area

SUMMARY

This U.S. Bureau of Land Management (BLM) *Final Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico* (FEIS) (Volume 1) includes the Las Cruces Riparian and Aquatic Habitat Management Plan (HMP) (Volume 2) for restoring and protecting riparian and associated habitats in a four-county (Grant, Hidalgo, Luna, and Doña Ana) area under the Las Cruces Field Office jurisdiction. Following public review and comment on the three alternatives presented in the *Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico* (DEIS), the BLM selected Alternative 1, Current Management, as the preferred alternative. Implementation of the preferred alternative is discussed in the HMP. Volume 1 of the FEIS contains the public comments received on the DEIS and the associated BLM responses to those comments. This FEIS also contains the Biological Evaluation required under Section 7 of the Threatened and Endangered Species Act. Volume 2 contains the HMP.

The publication of this two-volume FEIS and HMP continues a process started by the Las Cruces Field Office when the public was notified of an opportunity to provide issues and comments on riparian habitat management. During public scoping, individuals presented a number of useful comments that resulted in the presentation and analysis of three alternatives in the DEIS: (1) Current Management (preferred alternative), (2) Adaptive Management, and (2) Grazing Management. The selection of the Current Management Alternative continues the implementation of the policies and management guidance for riparian areas developed in the Mimbres Resource Management Plan (RMP). The development of a HMP based on the Mimbres RMP allows the Las Cruces Field Office to implement a set of management actions specific to each riparian area following a set of policy decisions, which has as its primary goals the restoration and protection of riparian areas.

For over a decade, the BLM has emphasized the restoration and protection of streamside riparian areas for the benefit of watercourse and watershed integrity, unique plant association protection, and threatened and endangered species as well as for other riparian-dependent species in New Mexico. Although much has been accomplished to meet agency goals for riparian area improvement, much more remains to be done. For example, new data on the current condition of some riparian habitats, especially springs and seeps, need to be obtained and utilized. In addition, the Las Cruces Field Office needed to develop and make readily available to the public a set of published management actions representing a desired future condition for riparian areas. By completing the HMP for riparian areas, the Las Cruces Field Office has demonstrated that riparian habitat management is a priority field office activity.

The HMP provides a framework for meeting two primary goals: (1) the attainment of proper functioning condition for all riparian areas and (2) the protection and enhancement of threatened and endangered species habitat. The policy and management stipulations include the following steps:

- Retain all public land.
- Close areas to nonadministrative vehicle use.
- Withdraw from locatable mineral entry.
- Close areas to mineral leasing.
- Conduct validity exam on existing mining claims.

- Develop a HMP to protect and enhance riparian values.
- Install gap fences to exclude livestock grazing.
- Limit livestock grazing to dormant season only.
- Provide spring exclosures with water piped to remote facility for livestock use.
- Exclude livestock grazing.
- Use herbicides for nonnative species only.
- Actively suppress wildfires.

These policy and guidance decisions derived from the Mimbres RMP will be applied to each of the BLM-administered riparian areas located within Grant, Hidalgo, Luna, and Doña Ana Counties. Site-specific application of the HMP allows field office staff to account for the individual ecological conditions and dynamics that control the recovery and maintenance of riparian systems. For example, grazing management to protect riparian habitat includes both exclusion of domestic livestock by fencing and the selective application of dormant grazing, depending on the condition and structure of the vegetation in the riparian area.

Graphic materials included in the HMP (Volume 2) show individual riparian areas under BLM jurisdiction within the context of other features, activities, and land jurisdictions. For example, some figures show the relationship between the riparian areas and livestock grazing allotments. Others show the distribution of riparian areas under BLM jurisdiction relative to the surface hydrology network within the entire Las Cruces Field Office area. The figures underscore the fact that riparian habitats are critical, but very small, areas in relation to the large amount of land administered by the BLM. In addition, segments of riparian areas under BLM jurisdiction are often only a small part of a larger area under other jurisdictions over which the BLM has no management responsibility or authority. These observations are central to gaining an appreciation for the important, but limited, role the BLM can exercise in improving and protecting riparian habitats in New Mexico.

1 COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND RESPONSES

1.1 INTRODUCTION

The *Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico* (DEIS) was issued October 8, 1999, at which time the public and interested agencies were given 90 days to comment on its content. Thus, the comment period was scheduled to close on January 12, 2000. The comment period was extended, however, to February 12, 2000, in response to several requests. During the comment period, the U.S. Bureau of Land Management (BLM) received oral comments at two public hearings; written comments were received in the form of letters, postcards, and e-mails. Section 1.2 of this chapter presents a summary of the comments received during the hearings and the associated responses. Section 1.3 contains copies of the comment letters received and presents the associated BLM responses.

1.2 PUBLIC HEARING COMMENTS AND RESPONSES

This section presents the comments that were received at the two public hearings held on the *DEIS for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico*. The hearings were held November 22 and 23, 1999, at Lordsburg and Las Cruces, New Mexico, respectively. Table 1.1 summarizes the oral comments and presents the associated responses. Complete copies of the hearing transcripts are available for review at the BLM Las Cruces Field Office. The field office also can provide information on obtaining a personal copy of the transcripts.

1.3 WRITTEN COMMENTS AND RESPONSES

This section reproduces (from the best available copies) the comment letters received during the review period for the *DEIS for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico*, and presents corresponding BLM responses. In general, the letters have been arranged according to their dates. Miscellaneous form letters and undated letters are presented prior to dated ones. Each letter to which the BLM responded has been assigned a letter code, and for each letter, consecutive numbers have been used to designate individual comments and the corresponding BLM responses. The letters and responses are placed side by side on facing pages to the extent possible, so that the specific response to a given comment can be easily located. Multiple copies of a form postcard or e-mail are presented and responded to only once, although recognition is provided as to how many copies of the correspondence were received. Table 1.2 is an index of the letters and the corresponding codes in the order that they appear in this section.

TABLE 1.1 Public Hearing Comment Summaries and Responses for the DEIS for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico

Speaker and Comment Summary	BLM Response
Public Hearing Held at Lordsburg, New Mexico, November 22, 1999	
J. Keeler No. 1: We agree that current management should be the preferred alternative because it entails multiple land use practices.	Thank you for your comment.
J. Keeler No. 2: We would like to have a list of riparian obligate plant species added to the document.	A list of riparian obligate plants would not affect decisions relative to riparian and aquatic habitat management. For this reason, the DEIS also did not include an exhaustive listing of wildlife species that use riparian and aquatic habitats. The dominant native and exotic plant species of concern (e.g., cottonwoods, willows, Russian olives, and saltcedars) were addressed throughout the DEIS. Other common riparian plant species were often mentioned in the descriptions of the specific riparian and wetland areas provided in Chapter 3 of the DEIS.
J. Keeler No. 3: We would like a clarification on the definition of "riparian area." One definition is given on p. G-4, and a different one is given on p. 1-1 (the definition on p. 1-1 is more in line with that given in the Final Mimbres Resource Area Management Plan).	Both definitions generally provide the same information; the one in the Glossary, however, is shortened for brevity. The introductory material for the detailed discussion of the riparian and wetland areas (DEIS, Section 3.2) provides a more thorough description of riparian areas.
J. Keeler No. 4: We would like a clarification regarding the attributes of Owl Canyon and Cowboy Springs and how these attributes meet the definition of a riparian area.	As discussed in Section 3.2.6 of the DEIS, only two segments totaling 1.1 linear miles along Owl Canyon are considered riparian areas within the Gray Peak Wilderness Study Area (WSA) (18 acres out of the 14,678-acre WSA). These riparian areas are rated in proper functioning condition (PFC). The introductory material of Section 3.2 of the DEIS describes the attributes that these areas (and other PFC riparian areas) possess. As discussed in Section 3.4.2 of the DEIS, only the springs within and around the Cowboy Spring area of critical environmental concern are of concern as riparian areas (e.g., any wetlands associated with the springs are loosely considered to be riparian areas). No riparian area remains around Cowboy Spring. Thus, it does not have attributes of a riparian area. The condition of riparian areas associated with the other springs and seeps in the area is unknown and needs to be evaluated.

TABLE 1.1 (Cont.)

Speaker and Comment Summary	BLM Response
Public Hearing Held at Las Cruces, New Mexico, November 23, 1999	
R. Frost No. 1: Some ephemeral areas do not have permanent watersheds nor riparian vegetation, but are treated as riparian areas.	The objective of management efforts for ephemeral areas is to improve their physical, hydrological, and vegetative conditions to maximize their multiple-use potential. The introductory material at the start of the detailed discussion of the riparian areas (DEIS, Section 3.2) explains why some ephemeral areas are treated as riparian areas.
R. Frost No. 2: Belsky et al. (1999) is frequently cited, but none of the work that they stand on is cited in and of itself. Much of the work they cite is anecdotal and not scientifically structured for appropriate data collection. Thus, most of the literature does not scientifically support the claims regarding the adverse effects of grazing on riparian and aquatic habitats.	The 125+ documents cited in Belsky et al. (1999) are peer-reviewed experimental and review papers. The highest priority was given to recent papers in refereed journals that present experimental manipulations. All conclusions were based on the consensus of experts in the field. The search uncovered no systematic investigations showing positive impacts or ecological benefits on riparian areas that could be attributed to livestock activities where grazed areas were compared with protected areas. Thus, mostly negative environmental impacts from uncontrolled livestock grazing were presented. In general, there was little debate about the effects of livestock grazing. Most researchers tend to agree that uncontrolled livestock grazing damages stream and riparian ecosystems. The fact that most papers (e.g., more than 85% cited in Platts [1991]) demonstrate adverse impacts is a sufficiently powerful statistic to override inadequacies in individual experimental designs. Grazing has been so widespread in western North America that it is difficult to locate comparable ungrazed sites to serve as controls in grazing studies (see Kondolf 1994). The preparers of the EIS reviewed the majority of the scientific literature, including those documents cited by Belsky et al. (1999) (for brevity, “see Belsky et al. 1999” was often used, rather than adding excessive citations).

TABLE 1.1 (Cont.)

Speaker and Comment Summary	BLM Response
R. Frost No. 3: The literature does not support the No Grazing Alternative. A management plan should consider the option of allowing different phases of grazing. The Current Management Alternative should be the preferred alternative for all four of the field offices for which an EIS on riparian and aquatic habitat management was prepared.	The settlement agreement that necessitated the preparation of the four EISs required the inclusion of one alternative that may not conform to current resource management plans. To meet this condition, the Grazing Alternative was selected. The complete discontinuation of grazing would not conform to the principles of multiple-use management under the Federal Land Policy and Management Act of 1976 (FLPMA). The Current Management Alternative was selected as the preferred alternative for the Las Cruces Field Office EIS. The Adaptive Management Alternative was selected as the preferred alternative in the other three EISs. Generally, the Adaptive Management Alternative includes best management practices that are either proposed or would have been initiated if appropriate funding and/or manpower had been available.
R. Frost No. 4: More consideration should be given to management of elk and other wildlife that have an impact on riparian areas, rather than just managing cattle (which adversely impacts the grazing permittees).	Fences installed for riparian exclosures or pastures are designed to control livestock use of the riparian areas. Most wildlife species such as elk and deer can get over these fences. Where fences are installed to control livestock access, alternative watering sources are provided, as necessary. If alternative watering sources cannot be developed, water gap(s) are created to allow livestock a limited access point to the stream. This solution protects much of the degraded riparian and aquatic habitat areas from continued damage resulting from livestock access. Wildlife rarely contributes significantly to the decline of riparian areas except where their numbers exceed long-term carrying capacities (e.g., due to a lack of human or natural predators, where wildlife are unable to migrate seasonally or permanently, or where wildlife numbers are managed to maximize hunter satisfaction). However, wildlife can adversely affect revegetation efforts in riparian areas. The BLM's monitoring efforts will be able to determine if riparian areas are adversely affected by wildlife use where livestock grazing has been excluded. As necessary, management strategies will be modified to control wildlife use of those riparian areas that are not being restored in a timely manner. Also, some wildlife species such as elk and mule deer are individually more detrimental to upland habitats than are cattle, whereas cattle have a greater effect on riparian habitats (see Trimble and Mendel 1995).

TABLE 1.1 (Cont.)

Speaker and Comment Summary	BLM Response
R. Frost No. 5: Studies from Colorado and elsewhere point to increased biodiversity in association with grazing. These studies should be considered in the EIS, although they are not currently cited nor reviewed in the DEIS.	The general increase in the richness of plant species in grazed grasslands relative to ungrazed areas suggests that ungulate grazers alter the richness of plant species by reducing dominant and competitive plants. This allows less competitive plants to persist (Rambo and Faeth 1999). Also, grazing in riparian areas may enhance the maintenance of a dense herbaceous exotic ground cover, which can exclude native species and increase fuel for fires (Rambo and Faeth 1999; Stromberg and Chew 1997).
R. Frost No. 6: There is no indication that measures are being taken to control pinyon-juniper areas, such as removal of these trees to increase water flows. This management practice would increase grass coverage, which would improve water quality (e.g., function as a biological filtering device).	Generally, junipers and pinyon pines occur on upland sites (e.g., hills and ridges). Wildfires would thin out stands of these trees, which would then be replaced by grasses. Any vegetative manipulation to mimic this (e.g., prescribed burns) would need to be analyzed for alternatives and conformance with policies. Because few of the allotments under BLM jurisdiction have extensive juniper-pinyon pine stands, removing them is not a viable management practice for improving water flows and water quality.
R. Frost No. 7: The DEIS indicates that PFC is the desired endpoint for riparian management. This is an assessment tool, however, rather than a management tool. Thus, considering PFC as an endpoint is a drastic misapplication of a scientific tool.	Proper functioning condition (PFC) assessment is the starting point for monitoring in riparian areas. It allows a rapid assessment of riparian conditions and provides a consistent approach for assessing the physical and biological functioning of riparian areas by considering attributes of hydrology, vegetation, and soil/landforms. Proper management practices cannot be implemented unless the riparian area's functioning condition is assessed. Management tools can then be initiated to correct deficiencies in hydrology, vegetation, or soil/landforms. Management techniques would include those addressed in BLM Technical Reference (TR) 1737-14 (*Grazing Management for Riparian-Wetland Areas* [BLM 1997]) and TR 1737-6 (*Management Techniques in Riparian Areas* [BLM 1992a]).
R. Frost No. 8: All the information on the Rio Yaqui in the DEIS points to it being an ephemeral area with vegetation that is not indicative of riparian areas. Treating this area as a riparian area would be a misapplication of the riparian area definition for treatment in that area.	Although the Rio Yaqui is included in the general description of the hydrology in the overall area covered in the DEIS, no designated riparian areas fall under the BLM's jurisdiction on the Rio Yaqui. Thus, no management actions are planned for the Rio Yaqui.

TABLE 1.1 (Cont.)

Speaker and Comment Summary	BLM Response
R. Frost No. 9: The Clean Water Action Plan (CWAP) has yet to be ratified or recognized by Congress. Several Supreme Court decisions have not considered range cattle to be a point source of pollution. To push forward with CWAP applications may open the door to more litigation and a waste of taxpayers' dollars.	As stated in *Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration* (*Code of Federal Regulations* [CFR] 4180.1 and 4180.2), the BLM ensures that the following conditions exist on public lands authorized for grazing: (1) watersheds are making significant progress toward properly functioning physical conditions; (2) ecological processes support healthy biotic populations and communities; (3) water quality meets federal, state, and BLM standards and objectives; and (4) habitats are maintained for federal threatened and endangered species, species of special concern, and other special status species. Thus, riparian and aquatic habitats need to be managed, in part, to maintain or restore water quality to the extent practical, considering that other potential impacts in the watershed are out of the BLM's control. Therefore, managing for water quality improvements would be a BLM practice whether or not livestock grazing would be considered a point or nonpoint source of pollution.
R. Frost No. 10: I agree that removing grazing would not have an economic impact in the Las Cruces area. In the northern portion of the state, however, many of the counties are 60 to 80% federal lands. Thus, removing grazing in those areas could have significant social and economic impacts.	The total removal of livestock grazing could cause significant social and economic impacts to ranchers. However, cessation of livestock grazing (either for a season or for several years) would only occur within some of the riparian and other wetland areas. Generally, this practice would not cause a decrease in animal unit months (AUMs) for the affected grazing allotments. Where necessary, alternative water sources would be provided. Ranchers could experience some minor economic impacts associated with the need for range improvements or supplemental forage. In the long term, the economy would benefit from the better range conditions associated with improvements to riparian and aquatic habitat.
R. Frost No. 11: It may not be wise to consider the claim that we want more recreation in riparian areas. Brown-headed cowbirds have adapted to human intrusions. Thus, allowing bird-watchers and campers into the area would still favor the cowbird, which would be detrimental to the southwestern willow flycatcher. Therefore, recreation management needs to be addressed as well as grazing management.	Potentially significant recreational impacts to southwestern willow flycatchers are associated with campground facilities. Thus, the provisions of the Biological Opinion from the BLM's consultation with the U.S. Fish and Wildlife Service (USFWS) requires no expansion of existing campground facilities into habitats that provide nesting and foraging habitat for southwestern willow flycatchers. Also, existing campgrounds must use bear-proof refuse containers to minimize foraging opportunities for brown-headed cowbirds.

TABLE 1.1 (Cont.)

Speaker and Comment Summary	BLM Response
R. Frost No. 12: Studies in the Gila and other areas have found that grazing results in higher densities of southwestern willow flycatchers. Thus, the interaction of brown-headed cowbird parasitism as related to grazing is basically in question and this should be considered in more detail for the EIS.	No scientific research or review papers were found that identified a positive interaction between livestock grazing in riparian areas and increased densities of southwestern willow flycatchers. The BLM does not allow livestock grazing within occupied flycatcher habitat. Occupied flycatcher breeding sites always have dense woody vegetation in the patch interior, and livestock generally do not graze in such areas. If wooded riparian areas are extensive, controlled grazing in uplands would not significantly affect the southwestern willow flycatchers habitat. Grazing does, however, benefit brown-headed cowbirds (e.g., by increasing insect density). Where an extensive woody riparian area exists, the potential for cowbirds to parasitize flycatcher nests generally would be lower.

TABLE 1.2 Index of Letters Received during the Public Comment Period

TABLE 1.2 (Cont.)

Letter Code (Date)	Source (Affiliation)	Page No.
JB (Jan. 9, 2000)	Jeff Burgess (citizen).	1-66
NTJ (Jan. 9, 2000)	Nolan Thomas Jones, Jr. (citizen).	1-70
JGP (Jan. 9, 2000)	J.G. Petrofsky (citizen).	1-72
JAA (Jan. 10, 2000)	Joel A. Alderete, Regional Director, New Mexico Farm and Livestock Bureau (livestock organization).	1-74
SCDa (Jan. 10, 2000)	Sam C. deBaca, President, Sandia Jeep Club (recreational organization).	1-78
SCDb (Jan. 10, 2000)	Sam C. deBaca (citizen).	1-84
TCD (Jan. 10, 2000)	Teresa C. deBaca (citizen).	1-86
CCa (Jan. 10, 2000)	Caren Cowan, Executive Secretary, New Mexico Cattle Growers' Association (livestock organization).	1-88
JD (Jan. 10, 2000)	Jim Dawson (citizen).	1-92
BE (Jan. 10, 2000)	Bud Eppers, President, New Mexico Public Lands Council (livestock organization).	1-94
WH (Jan. 10, 2000)	Warren Harkey (citizen).	1-98
TH (Jan. 10, 2000)	Tim Hodgkins (citizen.)	1-100
SH (Jan. 10, 2000)	Steve Hunt (citizen).	1-102
RSL (Jan. 10, 2000)	Ron and Susan Low (citizens).	1-104
RLM (Jan. 10, 2000)	Ron L. Merritt, Jr., President, New Mexico Wool Growers, Inc. (livestock organization).	1-106
SM (Jan. 10, 2000)	Shelly Morris (citizen).	1-110
RSP (Jan. 10, 2000)	Roger S. Peterson, Secretary, New Mexico Natural History Institute (nonprofit corporation).	1-112
ER (Jan. 10, 2000)	Eric Rechel (citizen).	1-114
TR (Jan. 10, 2000)	Terry Rust, Director of Environmental Affairs, Southwest Four Wheel Drive Association (recreational organization).	1-116
KS (Jan. 10, 2000)	Kristen Sykes (citizen).	1-122
CW (Jan. 10, 2000)	Christina Wulf (citizen).	1-124

TABLE 1.2 (Cont.)

Letter Code (Date)	Source (Affiliation)	Page No.
AA (Jan. 11, 2000)	Alice Anderson (citizen).	1-126
PA (Jan. 11, 2000)	Paul Austgen (citizen).	1-128
GJ (Jan. 11, 2000)	George Johnson (citizen).	1-130
MM (Jan. 11, 2000)	Michael Mills (citizen).	1-132
KS (Jan. 11, 2000)	Keith Sonnier (citizen).	1-134
DY (Jan. 11, 2000)	Dick Young (citizen).	1-136
JRB (Jan. 12, 2000)	Jimmy R. Bason (citizen).	1-138
TB (Jan. 12, 2000)	Ty Bays (citizen).	1-142
RB (Jan. 12, 2000)	Robert Benne (citizen).	1-144
MEC (Jan. 12, 2000)	Mary Ella Cowan (signed Christian) (citizen).	1-146
CCb (Jan. 12, 2000)	Caren Cowan (citizen).	1-150
REC (Jan. 12, 2000)	Robert E. Cowan (citizen).	1-154
FAD (Jan. 12, 2000)	Frank A. DuBois, Secretary, Department of Agriculture, State of New Mexico (state agency).	1-158
CG (Jan. 12, 2000)	Callie Gnatkowski (citizen).	1-168
MPJ (Jan. 12, 2000)	Michael P. Jansky, P.E., Environmental Review Coordinator, U.S. Environmental Protection Agency, Region 6 (federal agency).	1-172
SJ (Jan. 12, 2000)	Shane Jimerfield, Assistant Director, Center for Biological Diversity (environmental organization).	1-174
DL (Jan. 12, 2000)	Diann Lee (citizen).	1-184
ML (Jan. 12, 2000)	Mike Lee (citizen).	1-188
SM (Jan. 12, 2000)	Stephen MacDonald, Coordinator, Upper Gila Watershed Alliance (citizens' organization).	1-192
MLM (Jan. 12, 2000)	Mrs. Lou McDonald (citizen).	1-194
TS (Jan. 12, 2000)	Troy Sauble (citizen).	1-198

TABLE 1.2 (Cont.)

Letter Code (Date)	Source (Affiliation)	Page No.
RS (Jan. 12, 2000)	Randy Summers (citizen).	1-200
RT (Jan. 12, 2000)	Rachel Thomas (citizen).	1-204
GC (Jan. 20, 2000)	Gedi Cibas, Ph.D., Environmental Impact Review Coordinator, State of New Mexico Environment Department (state agency).	1-208
EMS (Feb. 2, 2000)	Edward M. Smith (citizen)	1-218
CRS (Feb. 6, 2000)	Charles R. Sands, R.N. (citizen)	1-220
DGM (Feb. 10, 2000)	Dawn G. Meidinger, Counsel, Land & Water Resources, Phelps Dodge Corporation (mining and manufacturing industries corporation).	1-224
JCH (Feb. 11, 2000)	John C. Horning, Watershed Protection Program, Forest Guardians (citizens' organization).	1-230

CHAPTER 1

Misc.1

Please accept my comments below regarding the management of riparian and aquatic habitats described in the DEIS (BLM 1999).

The DEIS states that most of the riparian areas are in a degraded condition and would only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of BLM. This needs to stop.

Select alternative three, which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery.[1]

[1] This comment was directed to Bill Merhege, BLM project leader, and received at the BLM Las Cruces Field Office. It was received as a form postcard or e-mail from 1,321 private citizens. Therefore, it is being responded to only once. Nevertheless, the BLM appreciates the concerns of all individuals who took the time and effort to comment on the *DEIS for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico*.

Response to Misc.1:

It is arguable that the elimination of livestock grazing would be a viable alternative if the U.S. Bureau of Land Management's (BLM's) sole management responsibilities were to maintain, enhance, or restore riparian and aquatic habitats for their ecological value. However, it is the BLM's mandate to manage public land for multiple use. The settlement agreement that necessitated the preparation of an environmental impact statement (EIS) required the inclusion of one alternative that may not conform to current resource management plans. The alternative selected to meet this condition was the grazing alternative. Complete discontinuation of grazing would not conform to the principles of multiple use management under the Federal Land Policy and Management Act (FLPMA) of 1976. (Under certain conditions, grazing could be permanently excluded because of laws such as the Endangered Species Act [ESA] or the Clean Water Act, which require the BLM to take certain actions to protect the environment. These laws are not overridden by the FLPMA.)

Fencing and complete exclusion of grazing from riparian areas are often considered the only strategies capable of rehabilitating damaged streamside areas. Alternative livestock management systems can be used to improve many riparian areas so that permanent exclusion of grazing may not be necessary. The BLM acknowledges that any grazing practice requires close monitoring of riparian woody species use and bank conditions so that livestock can be removed promptly before any significant damage occurs.

FROM:

TO: BLM Project Leader
RE: DEIS for Riparian and Aquatic Habitat Management

Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement.

MC-1 The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop.

MC-2 **Select alternative three** which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery. – And pesticides have eliminated amphibians in many places.

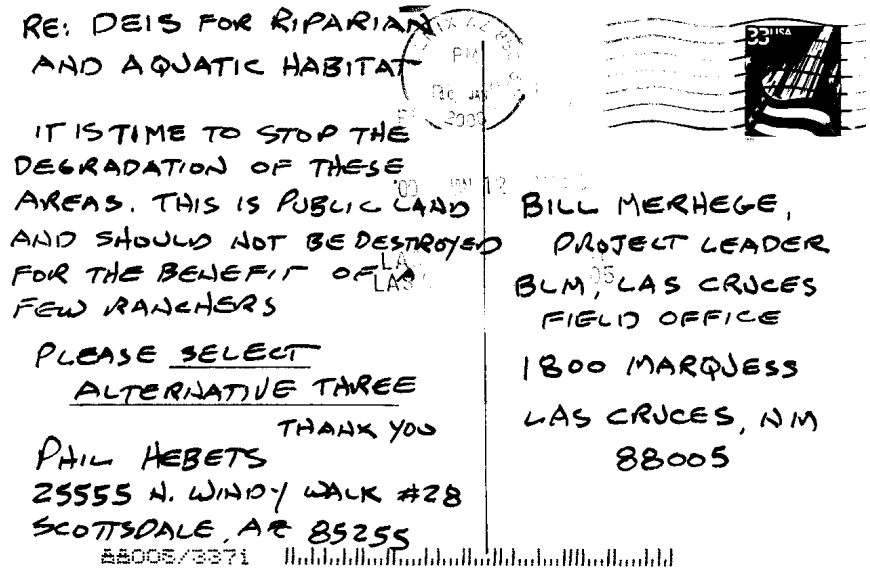
Sincerely,
Marilyn Colyer
43393 C Rd M Mancos, Co 81328 / Sylvia Colyer

Response to MC-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to MC-2:

The comment presents an opinion; thank you for your comment.



RE: DEIS FOR RIPARIAN AND AQUATIC HABITAT

IT IS TIME TO STOP THE DEGRADATION OF THESE AREAS. THIS IS PUBLIC LAND AND SHOULD NOT BE DESTROYED FOR THE BENEFIT OF A FEW RANCHERS

PLEASE SELECT ALTERNATIVE THREE

THANK YOU

PHIL HEBETS
25555 N. WINDY WALK #28
SCOTTSDALE, AZ 85255

88005/3371

BILL MERHEGE,
PROJECT LEADER
BLM, LAS CRUCES
FIELD OFFICE
1800 MARQUESS
LAS CRUCES, NM
88005

PH-1

Response to PH-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

FROM:

TO: BLM Project Leader
RE: DEIS for Riparian and Aquatic Habitat Management

Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement.

The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop.

TM-1

Select alternative three which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery.

Sincerely, Timothy McKinnon RS.

TM-2

PS-Please compare alternative fish stocking, trails for hiking, biking, (horses packtraining) profits compare to subsidized ranching at tax payers expenses

Response to TM-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to TM-2:

The Riparian and Aquatic Habitat Management Plan (HMP) (Volume 2 of the Final EIS [FEIS]) recognizes that wildlife, recreational, and cultural needs are integral parts of public land use.

FROM: JOAN MONTAGNE
17 HODGMAN CANYON
BOREMAN, MT 59718

unmanaged cattle grazing with no rest/rotation to protect riparian areas being used in the management plan implementation

TO: BLM Project Leader
RE: DEIS for Riparian and Aquatic Habitat Management

Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement.

The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop. BLM and the ranchers need to manage the land.

JWM-1

~~**Select alternative three** which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery.~~ I Subscribe to Allen Savory's proven holistic grazing methods.

Sincerely,

Joan W. Montagne

Response to JWM-1:

The Riparian and Aquatic HMP included with the FEIS is based on improving and protecting riparian habitats. The plan includes specific management actions for grazing by domestic livestock to ensure the recovery of the physical and vegetative aspects of riparian areas and regular monitoring to assess riparian area recovery and function. Holistic grazing is one of the potential grazing management practices that could be used, as noted in BLM's Riparian Area Management Technical Reference (TR) 1737-14 (*Grazing Management for Riparian-Wetland Areas* [BLM 1997]).

FROM:

ROBERT A. WITZEMAN, M.D.
4619 E. Arcadia Ln.
Phoenix, AZ 85018

TO: BLM Project Leader
RE: DEIS for Riparian and Aquatic Habitat Management

Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement.

The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop.

RAW-1

Select alternative three which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery.

RAW-2 Please extend the time period for comment.

Sincerely,

Robert A. Witzeman

Response to RAW-1:

Thank you for your comment; your support for Alternative 3 is noted; see the response to Misc.1-1.

Response to RAW-2:

The comment period was extended to February 12, 2000 (30-day extension), in response to several requests.

29 Oct 1999

Comments
FES Improving Aquatic Habitat
Las Cruces Field Office

JVL-1 I support Alternative 3 to eliminate grazing from all riparian habitats (page 52).

JVL-2 If fences are required (page 52) they should NOT be placed in wilderness study areas if they would interfer with the areas being made Wilderness.

JVL-3 In Alternative 1 (page 53. invasive species) contol by herbicides should NOT be used. Controlled burns is a better way.

James Vernon Lewis

Dr. James Vernon Lewis
505-881-7423
3401 Mars Road NE
Albuquerque, NM 87107

Response to JVL-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to JVL-2:

Placement of fences in wilderness study areas (WSAs) would not preclude the areas from being designated as wilderness in the future. Fencing will be used as a management tool to improve habitat conditions. Habitat improvements may actually increase the potential for a WSA to be designated as wilderness.

Response to JVL-3:

The BLM's priorities for vegetative control are to use fire and mechanical treatments. Site-specific analysis is conducted where chemical treatments are determined to be necessary. Strict guidelines are in place for herbicide application procedures. In uplands, prescribed burns are implemented to improve vegetative diversity and provide a more natural vegetative community. Suppression of fires in riparian areas, however, has a high priority unless fire is a natural part of the specific riparian area. Invasive species control in riparian areas often involves saltcedar. Saltcedar typically resprouts vigorously after burning. Burning followed by herbicide application to the resprouts, however, can achieve excellent results in monotypic stands of saltcedar. Burning is not a reasonable control method where saltcedar occurs as a component with native species because cottonwoods and willows do not resprout as vigorously as saltcedar. Mechanical cutting followed by immediate herbicide application to the cut stump is the preferred management practice to control saltcedar under these conditions. Such nonbroadcast-controlled applications of herbicides do not adversely affect the environment.

Continental Divide Trail Society
3704 N. Charles St. (# 601) Baltimore MD 21218 410/235-9610

November 12, 1999

Bill Merhige, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhige:

Thank you for sending us the Draft EIS for Riparian and Aquatic Management in the Las Cruces Field Office.

It appears to us that the impacts that are of most concern to our members are not recognized and dealt with in your analysis. Specifically, our interest lies in assuring that certain springs are returned to proper functioning condition so as to be reliable sources of water for passing users of the Continental Divide National Scenic Trail and other pedestrian travelers.

JRW-1

We would cite, for example, the springs in the Little Hatchets – through which the designated route of the CDT is to pass – which are nonfunctioning. And, as some hikers prefer to access the Mexican border at Columbus, we also have an interest in assuring the proper functioning of Fryingpan Spring and Byers Spring as well.

Inasmuch as your DEIS does not acknowledge and address this issue, there is no way for us to evaluate whether one or another of the identified alternatives would be most likely to result in necessary improvements. In any event, however, please be sure that your further analyses give proper consideration to the matter and that the selected course of action include appropriate remedial steps.

Please let me know if you have any questions. You can reach me at the phone listed above or by e-mail at cdtsociety@aol.com

Sincerely,

James R. Wolf
Director

Response to JRW-1:

Springs are included within the BLM's classification of riparian areas. The current management plan for riparian areas is addressed within the Mimbres Resource Management Plan (RMP) (BLM 1993b). Riparian management within the Las Cruces Field Office is coordinated with other programs and activities (including recreation), as necessary. Thus, as funds and workforce become available, the springs that are not in proper functioning condition (PFC) will be managed to improve their condition. Springs that have the potential for multiple uses (e.g., wildlife habitat and a source of drinking water for hikers) will be managed to provide for these uses.

BOOTHEEL HERITAGE ASSOCIATION

PO Box 469; Animas, NM 88020; Phone/Fax (505)548-2520

November, 22, 1999

Mr. Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Comments on Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office - New Mexico

Dear Bill,

JK-1 Thank you for the opportunity to submit comments on the Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management. We believe the preferred alternative (one) best meets the federal policy of managing BLM lands for multiple use. We would also like to request the following items:

JK-2 1) As previously suggested, the document needs to contain a list of vegetation directly influenced by permanent water. The list on page A-3 does not appear to reflect these plants.

JK-3 2) Clarification on the definition of a riparian area, page G-4. The definition of a riparian area needs to remain consistent with the definition as published in the Final Mimbres Resource Area Management Plan, page 2-61 and found on page 1-1 of the DEIS.

JK-4 3) Clarification as to what attributes Owl Canyon and Cowboy Springs possess that make them meet the definition of a riparian area as defined in the Final RAMP and DEIS, page 1-1.

If other issues arise, we reserve the right to amend the present comments to include future concerns. Thank you for your time and attention to this matter.

Sincerely

Judy Keeler

Judy Keeler, Secretary

Conserving the Land, its Resources, our Culture and the Economy Through Private Ownership

Response to JK-1:

Thank you for your comment. Your support for Alternative 1 is noted.

Response to JK-2:

See the response to J. Keeler No. 2 (Table 1.1).

Response to JK-3:

See the response to J. Keeler No. 3 (Table 1.1).

Response to JK-4:

See the response to J. Keeler No. 4 (Table 1.1).

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

DEC 1 4 1999

Mr. Bill Merhege
Project Leader
United States Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

Dear Mr. Merhege:

Thank you for providing a copy of the Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office, dated October 1999 (Ref: BLM/NM/PL-99-016-1040). This document develops, presents, and analyzes three alternative management strategies for restoring and protecting riparian habitats in Grant, Hidalgo, Luna and Doña Ana counties under the Las Cruces Field Office jurisdiction.

SAW-1

The United States Section, International Boundary and Water Commission (USIBWC) has reviewed the document and finds that areas under its jurisdiction do not overlap any BLM lands. The USIBWC has determined that BLM's need to revise management strategies to place additional emphasis on riparian and aquatic resources should not have an impact upon our projects in the area.

Thank you for including us in the review of the draft EIS; however, I do not see a need to send us the final EIS when it is completed.

Sincerely,

for Sylvia A. Waggoner
Division Engineer
Environmental Management Division

The Commons, Building C, Suite 310 • 4171 N. Mesa Street • El Paso, Texas 79902
(915) 832-4100 • (FAX) (915) 832-4190

Response to SAW-1:

The BLM acknowledges receipt of the United States Section, International Boundary and Water Commission's comments.

R T Raymond
Box 427
[illegible]sbury NM

RECEIVED
BLM [illegible]
99 DEC 20 P2:57
LAS CRUCES

Bureau of Land Mgmt

RTR-1

There have been some of your riparian areas implemented for improvement for some time, such as the Gila Box area. I have not noticed any mention of improvement or change. Since I am not aware of any benefits derived, I am unable to give any educated input as to the worth of your endeavors.

RTR-2

As to your "surveys" of riparian areas, the years in which they are made can make all the difference. With New Mexico's erratic rainfall year after year, the program could be greatly different from the present study.

Sincerely, R T Reynolds

RT Reynolds

RTR-3

I noticed the attached article in a newspaper & thought you would enjoy it. probably by some Cranks but it does make a person wonder.

...ioned when you were ...'94, and we all bought ...it."

...rely by now everyone ...gured out that, to the ...istas, "citizen input" ...tes to "let the hayseeds ...ff steam, round-file it, ...n get on with what we ...oing to do in the first ... — Ed.)

Response to RTR-1:

Since implementing management actions in parts of the Gila Middle and Lower Box riparian areas, including designation of the Middle Box as an Area of Critical Environmental Concern (ACEC) in 1984 and placing restrictions on domestic livestock grazing, the BLM has observed a dramatic improvement in riparian habitat. Currently, the area supports a number of nesting southwestern willow flycatchers and a healthy riparian vegetation community.

Response to RTR-2:

Surveys are conducted for a number of parameters that provide a long-term indication of riparian conditions (e.g., sinuosity, gradient, beaver dams, upland conditions, riparian area width, age class distribution of riparian vegetation, characteristics of the stream channel to dissipate stream-flow energies, and presence of point-bar vegetation). Also, the BLM generally repeats its surveys at no more than a five-year interval. Therefore, trends in riparian conditions can be determined regardless of the short-term influence of rainfall within any given year.

Response to RTR-3:

Thank you for the article. No response is required.

Las Cruces District
1800 Marquess Place
Las Cruces, N.M. 88005

RECEIVED
BLM MAIL ROOM
'99 DEC 28 A9:34

Dear Sirs:

I understand that the BLM LAS CRUCES DISTRICT issued four separate draft management plans that could eliminate commercial livestock grazing on 400 miles of streams in New Mexico. The plans each include three alternatives, and one of these alternatives calls for no grazing in riparian areas. Yet, you have not chosen this excellent alternative that would keep streams undisturbed by commercial grazing! I urge you to reconsider and choose more wisely! Choose the alternative that bans grazing along streams — for the sake of water quality, wildlife, and recreation.

MRN-1

Please adopt the no-grazing-along-streams alternative! That would be better for fish, wildlife, water purity, and recreational opportunities! Thank you!

Sincerely,
M. Ruth Niswander
622 Barbera
Davis, Ca. 95616

Response to MRN-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

E. James Lunt
2537 E. Edgewood Ave.
Mesa, AZ 85204

December 23, 1999

Bureau of Land Management
Attn. Bill Merhege
1800 Marquess
Las Cruces, NM 88005

Re: Draft Environmental Impact Statement for Riparian and Aquatic Habitat management in the Las Cruces Field Office:

Dear Bill:

EJL-1 You and your team are to be commended for the quality of the report. Of the three alternatives, I support Alternative 1: Current Management.

EJL-2 I reiterate my concerns covered in my comments to you dated November 20, 1998, and object to the Lordsburg Playas being included as riparian areas. They do not have the characteristics of riparian areas other than the occasional ponding of water, and I doubt were ever intended to have been included in the definition by Congress. They are much more the nature of "catchments," without even the water penetration that most catchments have, yet, I note that you have not included the hundreds of water catchments in the district as riparian areas.

EJL-3 I appreciate the recognition in the report that the BLM managed land is only a small part of the overall area, much of which the BLM has no management responsibility or authority over, yet which could be adversely affected by BLM management policy decisions. It is important to recognize that basic to our freedom is the right to own and control property. Therefore, we are under constitutional obligation to be considerate of the results of all administrative actions on property rights.

EJL-4 It is frustrating that public funds have had to be utilized in the preparation of this report when policies currently in place are addressing these concerns. The dollars spent in this administrative effort could have been much better spent improving the land. Those in leadership in our public lands agencies must insist that we are not required to waste these public trust funds.

Sincerely,

E. James Lunt

Response to EJL-1:

Thank you for your comment. Your support for Alternative 1 is noted.

Response to EJL-2:

The playa lakes within the Lordsburg Playa contain limited riparian/wetland vegetation, primarily along their borders. However, during periods of high runoff, the playa lakes contain water that provides an important stopover or wintering site for migratory shorebirds and waterfowl. Because the Draft EIS (DEIS) was prepared for riparian and aquatic habitat management, the Lordsburg Playa was included. The value of these large playa lakes to migratory birds necessitates their management. The Mimbres RMP (BLM 1993b) addresses current management of the Lordsburg Playa.

Response to EJL-3:

The comment reflects an opinion; thank you for your comment.

Response to EJL-4:

Your comment has been noted. The preparation of an EIS for riparian and aquatic habitat management was required as a result of a lawsuit settlement (see Section 1.1 of the DEIS [BLM 1999]).

Wildlife Management Institute

Len H. Carpenter, Field Representative
4015 Cheney Drive • Fort Collins, Colorado 80526
Phone (970) 223-1099 • Fax (970) 204-9198
E-mail: lenc@verinet.com

ROLLIN D. SPARROWE
President
RICHARD E. McCABE
Vice-President

December 27, 1999

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces field Office
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhege:

I am the Southwest Field Representative for the Wildlife Management Institute. The Institute is a private, nonprofit, scientific and educational organization founded in 1911 and dedicated to the restoration, conservation, and sound management of natural resources, especially wildlife, in North America. I have the following comments on the DEIS for Riparian and aquatic Habitat Management in the Las Cruces, New Mexico Field Office.

Given the importance of riparian areas to a wide variety of wildlife species it is important that they be managed appropriately. This is especially true for the limited areas of riparian habitat on public land. The legal action that triggered the additional emphasis on the riparian resources points out importance of improving management on riparian areas. Given this history, it is difficult to understand the BLM position supporting Alternative 1 or the current management alternative.

LHC-1

This position is further questioned when it is revealed that only 98 acres of riparian habitat is currently grazed. The BLM should take necessary steps to improve all areas of public riparian lands as soon as possible. Given that the amount not protected is only 98 acres it does not seem logical to choose Alternative 1. The only sure way to accomplish this goal is to select Alternative 3 which is designed to exclude all riparian habitat from livestock grazing.

LHC-2

The DEIS does not provide justification for the BLM preferred alternative. The document should provide a better understanding of why the preferred alternative is 1. Since the goal of the riparian management program is to achieve a healthy and productive ecological condition for public land riparian areas and it is revealed on page 1-1 that much more work remains to be done to meet the agency's goals for riparian area improvement, the BLM should select Alternative 3. The Institute

Washington, DC Office: 1101 14th Street, NW • Suite 801 • Washington, DC 20005 • Phone (202) 371-1808 • FAX (202) 408-5059

Response to LHC-1:

The BLM Las Cruces Field Office places emphasis and priority on restoration and protection of riparian habitats. To the extent that livestock grazing is allowed to continue, it will be managed consistent with this priority. For example, the riparian portions of the grazing allotments that currently contain potential habitat for southwestern willow flycatchers have been fenced to exclude livestock grazing. All riparian habitats will be monitored regularly to determine their condition and identify trends. Appropriate management actions will be taken to restore and protect riparian habitats.

Response to LHC-2:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

LHC-2 | encourages the BLM to meet its long-term resource stewardship responsibilities and reconsider your selection of the preferred alternative.

Thanks for the opportunity for comment. Please be sure I receive a copy of the FEIS.

Sincerely,

Len H. Carpenter

Len H. Carpenter

cc:
R. Sparrowe, WMI

[This page intentionally left blank.]

I WOULD LIKE TO COMMENT ON THE DEIS 1/2000 FOR RIPARIAN & AQUATIC HABITAT MANAGEMENT, URGING YOU TO CONTINUE TO ALLOW CATTLE GRAZING.

JS-1 WHILE THERE IS NO DOUBT THAT GRAZING CAN BE DETRIMENTAL, IT IS EQUALLY CLEAR THAT IT CAN ALSO BE RESTORATIVE (WITNESS THE GLOBE-MIAMI MINE SPOILS IN AZ)

JS-2 IT IS THE GOAL OF A HEALTHY RIPARIAN ECOSYSTEM THAT MUST BE KEPT IN THE FOREFRONT & THE FLEXIBILITY TO PURSUE IT WITH ANY AND ALL MEANS (INCLUDING GRAZING) THAT IS CRITICAL.

Jean Schwennesen

Response to JS-1:

This comment reflects an opinion; thank you for your comment.

Response to JS-2:

This comment reflects an opinion; thank you for your comment.

RECEIVED
BLM LAS CRUCES, NM
2000 JAN -6 P1:11
LAS CRUCES DISTRICT
LAS CRUCES, NM 88005

T & E, Inc.

Box 1498
Cortaro, Arizona 85652
Tel.: (520) 572-0998
FAX: (520) 572-0962
e-mail: quixote@nsn.net

New Mexico Office
Box 248
Gila, New Mexico 88038

January 1, 2000

Bill Merhege, Project Leader
Las Cruces Field Office
Bureau of Land Management
1800 Marquess
Las Cruces, New Mexico 88005

Re: Draft EIS for Riparian and Aquatic Habitat

Dear Mr. Merhege:

THW-1 We write to encourage the adoption of alternative 3 as shown in your draft environmental impact statement for riparian and aquatic habitat management. Further we encourage you

THW-2 to review each allotment affected to determine the necessary adjustment to the number of livestock permitted.

THW-3 Data in your EIS shows what we have observed on the ground, that almost all riparian areas are in poor or not rated condition with almost none in an upward trend. We are aware and applaud the efforts that BLM has taken in the Gila Lower Box and Placitas Arroyo. You have really made a significant improvement in these two areas. Never the less, too many areas have been neglected because of time or unavailable funding. The areas showing improvement are doing so with the removal of livestock grazing pressure. This must be done if we are ever to expect improvement in any reasonable time. We also

THW-4 believe that livestock numbers on the remaining portion of any allotment affected must be reviewed because the riparian areas have offered a significant amount of forage historically used by livestock.

A not for profit corporation dedicated to the appreciation and preservation of our native flora and fauna

Response to THW-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to THW-2:

The BLM intends to prepare environmental assessments (EAs) for each of the grazing allotments under its jurisdiction. These documents will include a determination of animal unit months (AUMs) for, and seasonal and spatial distribution of grazing within, the allotments on the basis of the multiple-use management proposed for each.

Response to THW-3:

See the response to THW-1.

Response to THW-4:

See the response to THW-2.

THW-5

Your draft EIS properly indicates the overriding importance of riparian areas for proper water shed functioning, and as wildlife habitat. As well in your statement under alternative three, you properly acknowledge that considerable research supports the contention that domestic livestock grazing is an inappropriate use of riparian areas. You also acknowledge that application of grazing controls in riparian areas was the single most consistent advice received from the public during your scooping process. We agree with the scientific research. The public supports controls. Please proceed to exclude livestock from the riparian areas included in this EIS.

Sincerely,

Thomas H. Wootten

Thomas H. Wootten
President

A not for profit corporation dedicated to the appreciation and preservation of our native flora and fauna

Response to THW-5:

See the response to THW-1.

Center for Biological Diversity GIS Shop <gis@sw-center.org> on 01/04/2000 02:14:55 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Jon Rhodes
Address: 2330 SE Taylor St.
City: Portland
State: OR
Zip: 97214
Phone: 503-731-1307
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: I strongly urge to adopt an alternative that prohibits all livestock grazing on all riparian areas. As a professional hyrdologist with more than 18 years of experience working on riparian area and water quality issues, I know, as you should, that prohibition of livestock grazing is the only way to ensure that riparian areas are protected and restored. Therefore, the BLM should adopt an alternative that prohibits riparian livestock grazing for at least 10 years.

JR-1

Thanks for the time and attention.

Sincerely,

Jon Rhodes

Response to JR-1:

The BLM does not choose one grazing management system over another; however, periods of rest are important to ensure healthy plants. The grazing system must be developed to meet the needs of the resource but tailored to fit the livestock operation. Grazing in riparian areas is subject to monitoring to determine whether riparian health is being maintained. When grazing contributes to resource degradation, the BLM will take action to modify management of the allotment.

6 January 2000

'00 JAN 10
LA
LAS

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DEIS FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE LAS CRUCES FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As Environmental Chairman, I have prepared these comments on behalf of the New Mexico 4-Wheelers, an Albuquerque-based organization promoting the responsible use of four-wheel drive vehicles. NM4W's members make extensive recreational use of lands administered by your office and are concerned about the direction that DEIS Alternatives 2 and 3 are taking.

CRW-1

In reviewing your DEIS, I have found your selection of Alternative 1: *Current Management* as the preferred alternative to be the most appropriate of the three alternatives considered. NM4W strongly supports multiple use concepts in managing public lands. Blanket policies such as those promoted in the other two alternatives do not allow federal land management agencies to determine the best and highest uses of the land and bind them from making informed management decisions. Our opposition to Alternatives 2 and 3 stems not only from our concern for preserving primitive roaded recreational opportunities on public lands but also from our concern that public lands should continue to be managed in a manner that considers all needs. For these reasons, the New Mexico 4-Wheelers support the more balanced approach to riparian and aquatic habitat management provided by your current program, which has been identified, inappropriately, as the "no-action alternative."

The specific reasons for my conclusions are summarized as follows.

CRW-2

Single-Minded Purpose of Preferred Alternative 2 Ignores Common Sense and Good Management Practice. As stated on p. 2-6 of the DEIS, "... the Adaptive Management Alternative seeks first to do what is necessary to ensure the restoration and protection of riparian areas and then to permit those other uses to the extent that they are compatible with the preservation of riparian resources." This alternative subrogates *all* other uses to the preservation of riparian resources. This would be blind, unbalanced management. Although riparian habitat is important, circumstances will arise where the need to preserve riparian resources must be weighed against other important and legitimate needs such as prehistoric and historic resource preservation, recreation and facility development, and public access. It is not good management practice to bind your hands with a policy that keeps you from weighing the multitude of needs on their own merits and coming to management decisions that make sense. Riparian resource

Response to CRW-1:

Thank you for your comment. Your support for Alternative 1 is noted. The No Action Alternative is presented as Alternative 1, Current Management, in the DEIS and represents continuation of current management programs. The continuation of current programs satisfies the National Environmental Policy Act (NEPA) definition of No Action.

Response to CRW-2:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

CRW-2 (cont.) preservation will not always be the best and highest management objective at all riparian locations. Alternative 2 does not make good management sense and should be rejected.

Alternative 3 Grazing Management also Ignores Good Management Practice and Common Sense. As stated on p. 2-10 of the DEIS, "Under the Grazing Management Alternative, the Las Cruces Field Office would eliminate grazing by domestic livestock use in riparian areas ..." The blanket elimination of grazing, or any other legitimate use of public lands, without consideration of site-specific conditions and mitigation measures

CRW-3 is also blind, unbalanced management. Again, it is not good management practice nor the best and highest use of public lands to adopt a policy that constrains the BLM from making decisions based on the merits of each situation. It is entirely possible that grazing would be compatible with riparian protection in many areas, as illustrated in my next comment. Alternative 3 does not make good management sense and should also be rejected.

Other Uses are Compatible with Good Riparian Management. Table 1.1 of the DEIS provides a summary of Las Cruces Field Office riparian areas, their current use, and their known condition. Returning riparian areas to the PFC (Proper Functioning Condition) state is indicated in the DEIS as the ultimate objective of BLM's management plans. Of the 12 riparian areas stated in the table to currently be in the desired proper functioning condition, five (or nearly half) of those areas currently allow grazing. This strongly indicates that good riparian management and grazing are not incompatible if properly managed. Although only grazing use was mentioned in the table, in the area administered by the Taos Field Office two out of the four properly functioning riparian areas were

CRW-4 identified as also having ORV use. Again, this data indicates that good riparian management and ORV use are not incompatible if properly managed. It is clear that other uses such as grazing, ORV, hiking, and fishing can be compatible with a properly functioning riparian area and should not be automatically excluded. Options such as Alternative 3 that automatically brand certain uses as incompatible should not even be considered. In fact, Table 1.1 provides good evidence that Alternative 3, or any other alternative that promotes a blanket ban on a particular activity, is completely inappropriate. The BLM is self-identified as a *management* agency. There are many legitimate uses of public lands and the first management reaction to a problem should be to seek mitigation, not closure.

Allocation of Funding as First Priority. If the Las Cruces Field Office's highest priority was to protect and restore riparian areas as indicated on p. 2-6 under Alternative 2, it follows that other legitimate needs and uses of public lands managed by your office would suffer from a significant lack of funding while riparian management was vigorously pursued. This is not a good management policy because many of your other

CRW-5 important programs, such as biodiversity enhancement and T&E species protection in non-riparian areas, would unduly suffer. It should be clear that there are many important issues that need attention on public lands administered by the BLM, not just riparian habitat protection. It is suggested on p. S-1 in your summary statements that part of the legal objection to your current riparian management approach was that you have been proceeding too slowly due to a lack of funding. I submit that if riparian protection on

Response to CRW-3:

Thank you for your comment. Alternative 3, Grazing Management, addresses public input and issue identification received by the BLM during the scoping process.

Response to CRW-4:

Except for Alternative 3, Grazing Management, activities or actions allowed within a riparian area (e.g., recreation or grazing) will be based on the site-specific requirements or management needs of individual riparian areas.

Response to CRW-5:

Developing budget priorities has and will continue to be a challenge for public and private organizations. The BLM does not view the funding for riparian management as a “zero sum game” that deprives other field office activities of adequate funding. A HMP for riparian systems provides the documentation needed to assist in developing field office budget priorities.

public lands was of overriding interest compared to all other uses for a majority of the American people, the funding needed to provide that protection would have been there for you. The fact that it was not indicates that the level of riparian protection in Alternative 2 does not reflect the opinion of the majority of Americans but only of the relatively small group that filed the lawsuit. The best use of your limited funds is to continue with what you should be doing: provide balanced support for all legitimate uses of the lands you manage.

CRW-5 (cont.)

Not a Good Precedent to Set in Responding to a Lawsuit. It is clear that riparian area protection is receiving the current high level of attention in response to a lawsuit. A reaction to satisfy that legal challenge by making riparian area protection superior to all other needs for management of public lands would not be appropriate. Suppose a Native American group filed a lawsuit contending that your protection of their ancestral sites was not being pursued with sufficient vigor. Would you then turn around and make protection of prehistoric and historic resources your number one priority? You would not be setting a good precedent in responding to the riparian habitat lawsuit by adopting either Alternative 2 or 3. As a citizen, I believe that adopting either Alternative 2 or 3 would be a serious overreaction to the riparian protection lawsuit and a bad precedent to set in responding to future lawsuits.

CRW-6

In summary, I urge you to maintain the multiple use philosophy that the BLM has held for so many years by adopting Alternative 1.

Sincerely,

Charles R. Wilson

Charles R. Wilson, Environmental Chairman
New Mexico 4-Wheelers
5 Dulce Road
Santa Fe, New Mexico 87505
Tel/Fax 505-466-2183

Response to CRW-6:

This comment reflects an opinion. Thank you for your comment; again, your support for Alternative 1 is noted.

COOPERATIVE EXTENSION SERVICE

NEW MEXICO STATE UNIVERSITY

BOX 3AE, LAS CRUCES, NEW MEXICO 88003-0031
COLLEGE OF AGRICULTURE AND HOME ECONOMICS

January 7, 1999

Bill Merhege
Project Leader
Las Cruces Field Office
USDI Bureau of Land Management
1800 Marquess
Las Cruces, New Mexico 88005

Dear Mr. Merhege,

On behalf of the New Mexico Cooperative Extension Service and the Range Improvement Task Force, I am writing in response to the Draft EIS for Riparian and Aquatic Habitat Management in the Las Cruces Field Office. Pursuant to your request for comments prior to January 12, 1999 and our mandate to provide guidance to land managers in New Mexico, I ask you to consider the following.

TTB-1

(1) First, I compliment the designation of Alternative 1 (Current Management Alternative) as the Preferred Alternative given the potential economic impacts to permittees (see p. 4-25) when it is explicitly stated in the Summary (p. S-1) that "each alternative is capable of accomplishing the proposed action of restoring and protecting riparian habitats on lands under BLM jurisdiction". The proposed riparian restoration can be accomplished without the socioeconomic impact to local producers and economies that the other alternatives would create.

TTB-2

(2) However, regardless of the alternative chosen, I would encourage you to include quantitative monitoring programs and the details of those monitoring systems in your final EIS. For example, providing more detailed descriptions of the methods used to assess riparian area health and the sources of impacts to riparian areas would not only strengthen the document but also be helpful in achieving your goals. You describe light, moderate, and heavy grazing but make no attempt to define these levels or the method of measurement. Is this purely qualitative or were actual field measurements taken? It would also be appropriate to describe in greater detail the rating systems for riparian areas. In particular, given the subjective nature of the PFC method for assessing riparian function and the importance of having the most qualified personnel conduct this assessment, it is necessary to provide some evidence referring to the qualifications of the team that conducted the assessment. I would also remind you that the PFC method is not

:w Mexico State University is an equal opportunity/affirmative action employer and educator. NMSU and the U.S. Department of Agriculture operating.

Response to TTB-1:

The Adaptive Management Alternative was selected because it places emphasis on restoration and protection of riparian habitats, while providing for continuation of livestock grazing and flexibility for adjusting management strategy in response to changing situations. The Current Management Alternative is appropriate for the Las Cruces Field Office because the recent Mimbres Resource Management Plan places priority on protecting riparian values, whereas the FEIS supplements the older Farmington Resource Management Plan by adding riparian emphasis in the Adaptive Management Alternative.

Response to TTB-2:

The methodology for conducting PFC analysis described in BLM TR 1737-15, *A User Guide to Assessing Proper Functioning Condition and the Supporting Science for Lotic Areas* (BLM 1998), is used to determine the current functioning condition of riparian habitats in lotic areas. The methodology described in TR 1737-11, *Process for Assessing Proper Functioning Condition for Lentic Riparian-Wetland Areas* (BLM 1994a), is used for lentic areas. Members of BLM interdisciplinary teams who conduct PFC analyses are trained in the methodology. Use of riparian areas by off-highway vehicles (OHVs) for recreation or other purposes is considered in the PFC assessment.

designed to be used along ephemeral stream systems nor is it designed to substitute for a quantitative monitoring method. You also refer to ORV use and the presence of roads but make no mention of how the effects of these impacts were measured. Whereas research on the impacts of livestock grazing on aquatic habitats has been inconclusive (Rinne 1999) and research addressing the impacts of livestock grazing on endangered or threatened species is incomplete, the scientific literature is replete with evidence of the negative effects of ORV's and roads on riparian and aquatic habitat.

TTB-2 (cont.)

(3) Along similar lines, the Draft EIS dismisses detailed analyses of recreation use and mineral development (to be read inclusive of all mining activities including gravel mining) as being necessary despite the comments received to this effect during the public scoping. According to the Draft EIS, these are not significant issues as compared to livestock grazing (p. 2-12). I submit that these uses have equal if not more potential to affect riparian and aquatic health than livestock grazing and that excluding these impacts could threaten attempts to achieve true sustainability of riparian areas and aquatic habitats.

TTB-3

(4) The Draft EIS also states that Alternative 3 is "a response to the conventional wisdom that domestic livestock grazing is an inappropriate use of riparian areas and should not be allowed to occur at any time". First, I question the term "conventional wisdom". Will conventional wisdom be allowed to determine the use of public riparian areas in favor of scientific evidence? Although the Draft EIS goes on to state that there is considerable literature to support the contention that removal of livestock would result in an improvement in riparian areas, there is also considerable literature that supports closely managed grazing regimes in favor of complete livestock exclusion. While excessive livestock grazing undoubtedly affects riparian and aquatic habitats, eliminating reasonable levels of grazing probably will not result in the dramatic improvements indicated by the Draft EIS and "conventional wisdom". This is particularly true when, as in most cases, there are numerous other impacts such as mining, recreation, ORV use, roads, and deteriorating upland watershed conditions. A majority of the Draft EIS seems to be a response to the "conventional wisdom" and the lawsuit based on that "conventional wisdom" that domestic livestock grazing is inappropriate. Why not use this opportunity to embrace scientific evidence and the exploration of the true relationships between livestock grazing and riparian and aquatic health.

TTB-4

(5) Regarding methods for monitoring and the qualifications of the personnel conducting *data* collection, the validity of the data and the collection procedures, regardless of the alternative chosen, may be improved if they are outlined in the final EIS and allowed to be commented on accordingly. Also, additional information needs to be provided regarding fencing riparian areas. Who will be responsible for constructing and maintaining fences? How will the width of the fenced area be determined? If fences are constructed to provide the most rapid restoration of riparian areas, will they also exclude large wild ungulates and will watering gaps for wildlife and livestock be provided?

TTB-5

Response to TTB-3:

The potential effects of mineral development and recreational activities on riparian habitats were considered in the formative stages of the EIS preparation, including public scoping. However, they were considered to be adequately addressed in current stipulations applying to those activities.

Response to TTB-4:

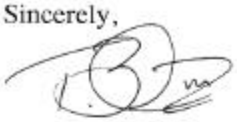
The reference to conventional wisdom relates to the perception expressed by a majority of commenters in the public scoping process that grazing by domestic livestock is responsible for the deterioration of riparian habitats. The selection of the Grazing Management Alternative was in response to that observation, although it was not the preferred alternative, nor was it selected as the basis for the HMP (Volume 2 of the FEIS). Although the Grazing Management Alternative would exclude grazing by domestic livestock categorically from all riparian areas, the analysis of scientific evidence versus conventional wisdom led to the selection of the preferred alternative, which does provide for selective livestock grazing.

Response to TTB-5:

Monitoring protocols are described in the BLM 1737 TR series, particularly TR 1737-6 (*Management Techniques in Riparian Areas* [BLM 1992a]), TR 1737-7 (*Procedures for Ecological Site Inventory – with Special Reference to Riparian-Wetland Sites* [BLM 1992c]), TR 1737-8 (*Greenline Riparian-Wetland Monitoring*) [BLM 1993a], TR 1737-11 (*Process for Assessing Proper Functioning Condition for Lentic Riparian-Wetland Areas* [BLM 1994a]), TR 1737-12 (*Using Aerial Photographs to Assess Proper Functioning Condition of Riparian-Wetland Areas* [BLM 1996b]), TR 1737-13 (*Observing Physical and Biological Change through Historical Photographs* [BLM 1996a]), TR 1737-14 (*Grazing Management for Riparian-Wetland Areas* [BLM 1997]), and TR 1737-15 (*A User Guide to Assessing Proper Functioning Condition and the Supporting Science for Lotic Areas* [BLM 1998]). Management fences are constructed specifically to prevent access by domestic livestock yet allow access by wildlife, including large ungulates. Exclosure fences for scientific studies are designed to prevent or allow access in accordance with the purpose of the study.

I appreciate the opportunity to comment on the Draft EIS for the Las Cruces Resource Area. Please feel free to call if I can be of any assistance during the remainder of the process.

Sincerely,



Terrell T. "Red" Baker, Ph.D.
Extension Riparian Management Specialist

cc:

John Fowler, Ph.D.
Coordinator, Range Improvement Task Force

Ron Parker, Ph.D.
Department Head, Extension Animal Resources

Literature Cited

Elmore, W., and J.B. Kauffman. 1994. Riparian and watershed systems: Degradation and restoration. *In: Ecological implications of livestock herbivory in the West*, M. Vavra, W.A. Laycock, and R.D. Piper (eds.). Society for Range Management, Denver, CO. pp.212-231.

Rinne, J. N. 1999. Fish and grazing relationships: The facts and some pleas. *Fisheries* 24: 12-21.

U.S. Bureau of Land Management. 1998. Riparian Area Management: A User's Guide to Assessing Proper Functioning Condition and the Supporting Science for Lotic Areas. TR 1737-15, Natural Resources Conservation Service, Denver, Colorado.

U.S. Bureau of Land Management. 1997. Grazing Management for Riparian-Wetland Areas. TR 1737-14, National Riparian Service Team, Prineville, Oregon.

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5031 Onondaga Rd.
Syracuse, New York 13215=1403
Jan. 7, 2000

From: (Ms.) Linda DeStefano Linda DeStefano
To: Pam Herrera, BLM Project Leader, Taos, NM
Jim Silva, Albuquerque Project Leader
Bob Moore, Farmington Project Leader
Bill Merhege, Las Cruces BLM

Re: public comments on alternative draft management plans re 'livestock' grazing along riparian habitats

LD-1 | I strongly favor the choice which would totally eliminate the grazing of 'livestock' in riparian areas.

Response to LD-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc. 1.

5031 Onondaga Rd.
Syracuse, New York 13215=1403
Jan. 7, 2000

From: Richard W. Weiskopf, M.D.
To: Pam Herrera, BLM Project Leader, Taos, NM
Jim Silva, Albuquerque Project Leader
Bob Moore, Farmington Project Leader
Bill Merhege, Las Cruces BLM

Re: public comments on alternative draft management plans re 'livestock' grazing along riparian habitats

RWW-1 | I strongly favor the choice which would totally eliminate the grazing of 'livestock' in riparian areas.

Response to RWW-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

January 9, 2000

1922 E. Orion Street
Tempe, AZ 85283

'00 JAN 12

LA
LAS

Mr. Bill Merhege, Project Leader
BLM Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhege,

I am writing to submit comments on the draft environmental impact statement (DEIS) for Riparian and Aquatic Habitat Management.

Researchers have found no ecological benefits whatsoever to livestock grazing in the Southwest's unique and scarce riparian areas (Belsky 1999).

Subsequently, your final decision should include provisions to restrict cattle from riparian areas. The best management strategy would be to totally exlcude them
JB-1 from the streams altogether.

Positive results have also been achieved by winter use only, whereby the cattle are not allowed in the streams during the warm growing season. This strategy, however, is not as good as total exclusion. It may still result in some overuse of the vegetation. And the cattle may still inflict mechanical damage on the streambanks.

Please do not decide to allow summer grazing in riparian areas under the condition that a maximum useage standard will not be exceeded. It may sound good on paper, but there's no practical way to control cattle use in riparian areas during warm weather as the cattle naturally want to congregate there. These types of
JB-2 strategies invariably fail because the only way to enforce the use standard is to move the cattle out of the pasture earlier than scheduled. And this almost never happens in the real world. Besides that, basing acceptable levels of livestock impact solely upon forage useage levels ignores the mechanical damage inflicted on the streambanks by their hooves (Trimble 1995).

Thank you for this opportunity to participate and please keep me updated on the status of this project.

Sincerely,

Jeff Burgess
Ph 602-417-4486 (day)
E-mail: jburgess@neta.com

Response to JB-1:

The BLM does not choose one grazing management system over another; however, periods of rest are important to ensure healthy plants. The grazing system must be developed to meet the needs of the resource but tailored to fit the livestock operation.

Response to JB-2:

Grazing in riparian areas is subject to monitoring to determine whether riparian health is being maintained. When grazing contributes to resource degradation, the BLM will take action to modify management of the allotment.

Literature Cited

Belsky, A.J., A. Matzke, and S. Uselman. 1999. Survey of Livestock Influences on Stream and Riparian Ecosystems in the Western United States. Journal of Soil and Water Conservation 54(1): 419-431.

Trimble, S.W., and A.C. Mendel. 1995. The Cow as a Geomorphic Agent-A Critical Review. Geomorphology. 13:233-253.

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Nolan Thomas Jones, Jr.

341 N Center Street #6 ♦ Salt Lake City, UT 84103
Email: tom@jrat.com

LA
LAS

January 9, 2000

Bill Merhege, Project Leader
BLM Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

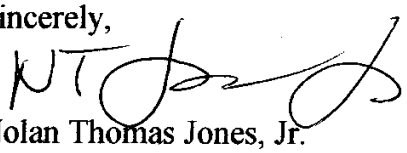
Dear Mr. Merhege –

Thank you for the opportunity to comment on the Draft EIS regarding Riparian and Aquatic Habitat Management.

NTJ-1

I am in favor of Alternative Three as the only alternative that will promptly remove livestock from sensitive riparian areas and give these places a chance to recover on a timely basis. For many years, the BLM has allowed the livestock grazers to irresponsibly over-graze and otherwise make free use of the range without regard for the environment and other users. Only Alternative Three stops this destruction right away, rather than allowing further degradation. Until ranchers act as responsible citizens, the BLM has no business leasing out public lands to them.

Sincerely,



Nolan Thomas Jones, Jr.

Response to NTJ-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc. 1.

J. Petrofsky
Cupertino CA 95015-2413
9 Jan ~~99~~ 2000

Bill,

'00 JAN 13

I am writing in response to the Draft EIS for Riparian & Aquatic Habitat Management. Despite the fact that ~~the~~ most of the riparian areas are identified as being in a degraded condition, largely due to cattle grazing, the preffered alternative will lead to only minimal improvement in their condition,

JGP-1

This sounds like another BLM sell-out, caving in to the interests of a few powerful cattle ranchers at the expense of the many taxpayers such as myself.

Please instead select alternative three, which will remove livestock from all these enviormentally critical areas. Thank you.

JPG-2

Sincerely,

Response to JGP-1:

This comment reflects an opinion; thank you for your comment.

Response to JGP-2:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

NEW MEXICO FARM AND LIVESTOCK BUREAU
P. O. Box 20004 • Las Cruces, New Mexico 88004 • (505) 532-4700 • FAX (505) 532-4710

January 10, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

On behalf of the New Mexico Farm and Livestock Bureau and it's 15,000 members I would like to comment on this Draft Environmental Impact Statement.

JAA-1 We support the preferred Alternative specified in this draft EIS, the continuation of current management. We feel that Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees who depend upon the land to provide their livelihoods. We do, however, have some concerns with the document, which are documented below.

JAA-2 The draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable wildfires resulting in injuries to people and property.

JAA-3 On the matter of fence installations. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep? We would also question the fact that if a riparian area is fenced out and alternate water sources would be provided to livestock, who will pay for these water sources to be put in?

JAA-4 As stated in one of these EIS's, "Although it is clear that livestock grazing can be detrimental to riparian vegetation, current grazing practices enacted after the passage of the Taylor Grazing Act of 1934 have lessened the adverse impacts significantly." Given this statement we would encourage you to work with the permittee and find a feasible solution to protecting riparian areas. This document's emphasis on the problems caused by overgrazing seems extreme because of today's management techniques.

JAA-5 We would encourage you to keep managing the riparian areas in accordance with applicable BLM

Response to JAA-1:

Thank you for your comment. Your support for Alternative 1 is noted.

Response to JAA-2:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats...." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to JAA-3:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to JAA-4:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet they contribute significantly to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improve their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

Response to JAA-5:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that southwestern willow flycatchers depend on for recovery are relatively small compared with the overall extent of rangeland ecosystems, it may be necessary to restrict other uses in those limited areas. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

JAA-5 (cont.)

guidance with the objective of restoring and protecting riparian ecosystems. We would question the elimination of cattle grazing in unoccupied flycatcher habitat. How many nesting pairs have been reported in this area? We are strongly opposed to the statement referring to flycatcher habitat, "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats.

JAA-6

You mention controlling and decreasing saltcedar and Russian olive groves. What has been done up to this time to do this type of management? Given that most treatments would be mechanical and mechanical means would change the environment, how will you mitigate these areas in this EIS? It is our understanding that if you are managing for flycatchers the U.S. Fish and Wildlife has determined that saltcedar stands will be protected habitat. How does this conflict with your management strategies?

JAA-7

We would like to show our support Alternative 1 and would encourage you to work with the permittee's. We of course are concerned with this rush to implement this EIS is caused by pressure from environmental groups who's sole mission is to eliminate livestock grazing in the Western United States.

We look forward to hearing your response to our concerns.

Sincerely,

Joel A. Alderete
Regional Director
NM Farm and Livestock Bureau

Cc: NM Congressional Delegation
Governor Gary Johnson
Lt. Governor Walter Bradley

Response to JAA-6:

The management of saltcedar and Russian olive will occur after a thorough analysis of the management needs for each riparian area. Please see the HMP (Volume 2 of the FEIS) for information on invasive species control for riparian areas. All vegetation management will comply with the findings of the Biological Evaluation presented in Appendix B of the FEIS and will follow the stipulations of the Biological Opinion issued by the U.S. Fish and Wildlife Service [USFWS 1997].

Response to JAA-7:

This comment reflects an opinion; thank you for your comment. Your support for Alternative 1 is noted.

10 January 2000

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DEIS FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE LAS CRUCES FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As President, I have prepared these comments on behalf of the Sandia Jeep Club (SJC), a Santa Fe area-based family organization promoting the responsible use of four-wheel drive vehicles. SJC's members make extensive recreational use of lands administered by your office and are very concerned about the direction that DEIS Alternatives 2 and 3 are taking.

SCDa-1

In reviewing the DEIS, I have found your selection of Alternative 1: *Current Management* as the preferred alternative to be the most appropriate of the three alternatives considered. SJC strongly supports multiple use concepts in managing our public lands. Blanket policies such as those promoted in the other two alternatives do not allow federal land management agencies to determine the best and highest uses of the land and bind them from making informed management decisions. Our opposition to Alternatives 2 and 3 stems not only from our concern for preserving primitive roaded recreational opportunities on public lands but also from our belief that public lands should continue to be managed in a manner that considers all needs. For these reasons, the Sandia Jeep Club supports the more balanced approach to riparian and aquatic habitat management provided by your current program, which has been identified, perhaps inappropriately, as the "no-action alternative."

The specific reasons for our conclusions are summarized as follows.

SCDa-2

Single-Minded Purpose of Preferred Alternative 2 Ignores Common Sense and Good Management Practice. As stated on p. 2-6 of the DEIS, "... the Adaptive Management Alternative seeks first to do what is necessary to ensure the restoration and protection of riparian areas and then to permit those other uses to the extent that they are compatible with the preservation of riparian resources." This alternative subrogates *all* other uses to the preservation of riparian resources. This would be blind, unbalanced, and irresponsible management, in fact it precludes any meaningful management at all. Although riparian habitat is certainly important, circumstances will arise where the need to preserve riparian resources must be weighed against other important and legitimate needs such as prehistoric and historic resource preservation, recreation and facility development, and public access. As you clearly understand, it is not good management practice to bind your hands with a policy that keeps you from weighing the multitude of

Response to SCDa-1:

Thank you for your comment. Your support for Alternative 1 is noted. The No Action Alternative is presented as Alternative 1, Current Management, in the DEIS and represents continuation of current management programs. The continuation of current programs satisfies NEPA's definition of No Action.

Response to SCDa-2:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

SCDa-2 (cont.)

needs on their own merits and coming to management decisions that make sense. Riparian resource preservation will not always be the best and highest management objective at all riparian locations. Alternative 2 does **not** make good management sense and should be rejected.

SCDa-3

Alternative 3 Grazing Management also Ignores Good Management Practice and Common Sense. As stated on p. 2-10 of the DEIS, "Under the Grazing Management Alternative, the Las Cruces Field Office would eliminate grazing by domestic livestock use in riparian areas ..." The blanket elimination of grazing, or any other legitimate, existing use of public lands, without consideration of site-specific conditions and mitigation measures is also blind, unbalanced management. Again, it is not good management practice nor the best and highest use of public lands to adopt a policy that constrains the BLM from making decisions based on the merits of each situation. It is entirely possible that grazing would be compatible with riparian protection in many areas, as illustrated in our next comment. Alternative 3 does **not** make good management sense and should also be rejected.

SCDa-4

Other Uses are Compatible with Good Riparian Management. Table 1.1 of the DEIS provides a summary of Las Cruces Field Office riparian areas, their current use, and their known condition. Returning riparian areas to the PFC (Proper Functioning Condition) state is indicated in the DEIS as the ultimate objective of BLM's management plans. Of the 12 riparian areas stated in the table to currently be in the desired proper functioning condition, five (or nearly half) of those areas currently allow grazing. This strongly indicates that good riparian management and grazing are not incompatible if properly managed. Although only grazing use was mentioned in the table, in the area administered by the Taos Field Office two out of the four properly functioning riparian areas were identified as also having OHV use. Again, this data indicates that good riparian management and OHV use are not incompatible if properly managed. It is clear that other uses such as grazing, OHV, hiking, and fishing can be compatible with a properly functioning riparian area and should not be automatically excluded. Options such as Alternative 3 that automatically brand a certain use as incompatible should not even be considered. In fact, Table 1.1 provides good evidence that Alternative 3, or any other alternative that promotes a blanket ban on a particular activity, is completely inappropriate. The BLM is self-identified as a *management* agency. There are many legitimate uses of public lands and the first management reaction to a problem should be to seek mitigation, not closure.

SCDa-5

Allocation of Funding as First Priority. If the Las Cruces Field Office's highest priority was to protect and restore riparian areas as indicated on p. 2-6 under Alternative 2, it follows that other legitimate needs and uses of public lands managed by your office would suffer from a significant lack of funding while riparian management was vigorously pursued. This is not a good management policy because many of your other important programs, such as biodiversity enhancement and T&E species protection in non-riparian areas, would unduly suffer. It should be clear that there are many important issues that need attention on public lands administered by the BLM, not just riparian habitat protection. It is suggested on p. S-1 in your summary statements that part of the

Response to SCDa-3:

Thank you for your comment. Alternative 3, Grazing Management, addresses public input and issue identification received by the BLM during the scoping process.

Response to SCDa-4:

Except for Alternative 3, Grazing Management, activities or actions allowed within riparian areas (e.g., recreation or grazing) will be based on the site-specific requirements or management needs of the individual riparian areas.

Response to SCDa-5:

Developing budget priorities has and will continue to be a challenge for public and private organizations. The BLM does not view the funding for riparian management as a “zero sum game” that deprives other field office activities of adequate funding. A HMP for riparian systems provides the documentation needed to assist in developing field office budget priorities.

SCDa-5 (cont.)

legal objection to your current riparian management approach was that you have been proceeding too slowly due to a lack of funding. I submit that if riparian protection on public lands was of overriding interest compared to all other uses for a majority of the American people, the funding needed to provide that protection would have been there for you. The fact that it was not indicates that the level of riparian protection in Alternative 2 does not reflect the opinion of the majority of Americans but only of the relatively small group that filed the lawsuit. The best use of your limited funds is to continue with what you should be doing: provide balanced support for all legitimate uses of the lands you manage.

SCDa-6

Not a Good Precedent to Set in Responding to a Lawsuit. It is clear that riparian area protection is receiving the current high level of attention in response to special interest litigation. A reaction to satisfy that legal challenge by making riparian area protection superior to all other needs for management of public lands would not be appropriate. Suppose a Native American group filed a lawsuit contending that your protection of their ancestral sites was not being pursued with sufficient vigor. Would you then turn around and make protection of prehistoric and historic resources your number one priority? You would not be setting a good precedent in responding to the riparian habitat lawsuit by adopting either Alternative 2 or 3. As a citizen, I believe that adopting either Alternative 2 or 3 would be a serious overreaction to the riparian protection lawsuit and a terrible precedent to set in responding to future lawsuits.

In summary, I urge you to maintain the multiple use philosophy that the BLM has held for so many years by adopting Alternative 1. As always, the Sandia Jeep Club looks forward to working with your office in the future.

Sincerely,

Sam C de Baca, President
Sandia Jeep Club
PO Box 29444
Santa Fe, NM 87592-9444

Response to SCDa-6:

This comment reflects an opinion. Thank you for your comment; again, your support for Alternative 1 is noted.

January 10, 2000

'00 JAN 31

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

LAS
LAS 005

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE TAOS FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As a member of the Sandia Jeep Club, a Santa Fe-based organization promoting the responsible use of four-wheel drive vehicles, I was deeply concerned about the management direction this document might have promoted. I do not believe that the BLM should place riparian habitat protection above all other needs when managing our public lands. The BLM should, as you rightly determined, instead manage the land to best meet the needs of all users, emphasizing balanced multiple use objectives as it has in the past. Where uses conflict, an effort should first be made to seek effective mitigating measures rather than to summarily exclude one use in favor of another or identify one use as universally more important than another.

SCDb-1

I strongly support your current program, expressed as Alternative 1, because it provides a more balanced, reasonable management approach to resolving issues.

SCDb-2

I strongly urge you to adopt Alternative 1 as your preferred approach to protecting riparian areas.

Sincerely,

Sam F. DeBaca
13 YA CALLETE LN
A CIENEGA NM
87505

Response to SCDb-1:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

Response to SCDb-2:

Thank you for your comment. Your support for Alternative 1 is noted.

January 10, 2000

'00 FEB -7 P1:14

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

LA
LAS 005

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE TAOS FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As a member of the Sandia Jeep Club, a Santa Fe-based organization promoting the responsible use of four-wheel drive vehicles, I was deeply concerned about the management direction this document might have promoted. I do not believe that the BLM should place riparian habitat protection above all other needs when managing our public lands. The BLM should, as you rightly determined, instead manage the land to best meet the needs of all users, emphasizing balanced multiple use objectives as it has in the past. Where uses conflict, an effort should first be made to seek effective mitigating measures rather than to summarily exclude one use in favor of another or identify one use as universally more important than another.

TCD-1

I strongly support your current program, expressed as Alternative 1, because it provides a more balanced, reasonable management approach to resolving issues.

TCD-2

I strongly urge you to adopt Alternative 1 as your preferred approach to protecting riparian areas.

Sincerely,

Response to TCD-1:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

Response to TCD-2:

Thank you for your comment. Your support for Alternative 1 is noted.

New Mexico Cattle Growers' Association
2231 RIO GRANDE BLVD., N.W. • ALBUQUERQUE, NEW MEXICO 87104
P.O. BOX 7517 • ALBUQUERQUE, NEW MEXICO 87194
TELEPHONE (505) 247-0584 • FAX (505) 842-1766 • E-MAIL NMCGA@RT66.COM

January 10, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

On behalf of the New Mexico Cattle Growers Association (NMCGA) and its membership, I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS).

CCa-1 First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

CCa-2 The NMCGA supports the preferred alternative specified in the draft EIS, the continuation of current management. We feel that Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. We do, however, have some concerns with the document, which are documented below.

1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

CCa-3 What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

CCa-4

3. Section 4.1.1 of the draft EIS addresses grazing. The NMCGA does not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. We feel that today's

CCa-5

Response to CCa-1:

This comment reflects an opinion; thank you for your comment.

Response to CCa-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to CCa-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to CCa-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to CCa-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

CCa-5 (cont.)

livestock producers have more knowledge and manage their operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

CCa-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. The NMCGA is strongly opposed to this entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,

Caren Cowan
Executive Secretary

Cc: New Mexico Congressional Delegation
Governor Gary Johnson
Lt. Governor Walter Bradley
Michelle Chavez, State BLM Director

Response to CCa-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Public Comment <swcbd@sw-center.org> on 01/10/2000 01:18:04 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Jim Dawson
Address: 880 Division St. Nw
City: Olympia
State: WA
Zip: 98502
Phone: 360-705-9812
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop. Select alternative three which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery. This is the very least the Federal Government can do. I firmly believe all commercial grazing, logging, mining, and other destructive activities need to be ended immediately on all Federal public lands. While I understand the importance of many of these resources to our nation. The misuse and abuse that has occurred in the past century warrants an end to all of these destructive policies. The stability of our economy and way of life depend on it.

JD-1

JD-2

Remote_Addr: 216.174.207.201
HTTP_User_Agent: Mozilla/4.7 [en] (Win95; I)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to JD-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to JD-2:

This comment reflects an opinion; thank you for your comment.

New Mexico Public Lands Council
P.O. Box 1633
Roswell, NM 88202

January 10, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

On behalf of the New Mexico Public Lands Council (NMPLC) and its membership, I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS).

BE-1 First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

BE-2 The NMPLC supports the preferred alternative specified in the draft EIS, the continuation of current management. We feel that Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. We do, however, have some concerns with the document, which are documented below.

BE-3 1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

BE-4 2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

BE-5 3. Section 4.1.1 of the draft EIS addresses grazing. The NMPLC does not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. We feel that today's livestock producers have more knowledge and manage their operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques

BE-6 4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. The NMPLC is strongly opposed to this entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Response to BE-1:

This comment reflects an opinion; thank you for your comment.

Response to BE-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to BE-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to BE-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to BE-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

Response to BE-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Thank you in advance for your consideration.

Sincerely,

Bud Eppers

Bud Eppers
President

Cc: New Mexico Congressional Delegation
Governor Gary Johnson
Lt. Governor Walter Bradley
Michelle Chavez, State BLM Director

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Public Comment <swcbd@sw-center.org> on 01/10/2000 02:01:27 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Warren Harkey
Address: 3201 Bowman
City: Las Cruces
State: NM
Zip: 88005
Phone: 523-0562
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop.

WH-1

Select alternative three which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery.

We do not have many riparian habitats on BLM in this part of the state, but the ones we do have are literally covered with cow manure. I have been to two springs on BLM in the vicinity and they are echoed by a number of springs on forest land. Please help.

WH-2

Warren Harkey

Remote_Addr: 216.234.196.12
HTTP_User_Agent: Mozilla/4.7 [en] (WinNT; I)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to WH-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to WH-2:

The comment reflects an opinion; thank you for your comment.

January 10, 2000

'00 JAN 13 P1:

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

LAS

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE TAOS FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As a member of the Sandia Jeep Club, a Santa Fe-based organization promoting the responsible use of four-wheel drive vehicles, I was deeply concerned about the management direction this document might have promoted. I do not believe that the BLM should place riparian habitat protection above all other needs when managing our public lands. The BLM should, as you rightly determined, instead manage the land to best meet the needs of all users, emphasizing balanced multiple use objectives as it has in the past. Where uses conflict, an effort should first be made to seek effective mitigating measures rather than to summarily exclude one use in favor of another or identify one use as universally more important than another.

TH-1

I strongly support your current program, expressed as Alternative 1, because it provides a more balanced, reasonable management approach to resolving issues.

TH-2

I strongly urge you to adopt Alternative 1 as your preferred approach to protecting riparian areas.

Sincerely,

TIM HODGKINS
ROUTE 5, BOX 261-C
SANTA FE NM
87501

Response to TH-1:

Thank you for your comment. Your support for Alternative 1 is noted. The No Action Alternative is presented as Alternative 1, Current Management, in the DEIS and represents continuation of current management programs. The continuation of current programs satisfies NEPA's definition of No Action.

Response to TH-2:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

January 10, 2000

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE TAOS FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As a member of the Sandia Jeep Club, a Santa Fe-based organization promoting the responsible use of four-wheel drive vehicles, I was deeply concerned about the management direction this document might have promoted. I do not believe that the BLM should place riparian habitat protection above all other needs when managing our public lands. The BLM should, as you rightly determined, instead manage the land to best meet the needs of all users, emphasizing balanced multiple use objectives as it has in the past. Where uses conflict, an effort should first be made to seek effective mitigating measures rather than to summarily exclude one use in favor of another or identify one use as universally more important than another.

SH-1

I strongly support your current program, expressed as Alternative 1, because it provides a more balanced, reasonable management approach to resolving issues.

SH-2

I strongly urge you to adopt Alternative 1 as your preferred approach to protecting riparian areas.

Sincerely,

Steve Hunt

Response to SH-1:

Thank you for your comment. Your support for Alternative 1 is noted. The No Action Alternative is presented as Alternative 1, Current Management, in the DEIS and represents continuation of current management programs. The continuation of current programs satisfies NEPA's definition of No Action.

Response to SH-2:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

January 10, 2000

'00 JAN 18 P2:

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

LAS
LAS 005

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE TAOS FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As a member of the Sandia Jeep Club, a Santa Fe-based organization promoting the responsible use of four-wheel drive vehicles, I was deeply concerned about the management direction this document might have promoted. I do not believe that the BLM should place riparian habitat protection above all other needs when managing our public lands. The BLM should, as you rightly determined, instead manage the land to best meet the needs of all users, emphasizing balanced multiple use objectives as it has in the past. Where uses conflict, an effort should first be made to seek effective mitigating measures rather than to summarily exclude one use in favor of another or identify one use as universally more important than another.

RSL-1

I strongly support your current program, expressed as Alternative 1, because it provides a more balanced, reasonable management approach to resolving issues.

RSL-2

I strongly urge you to adopt Alternative 1 as your preferred approach to protecting riparian areas.

Sincerely,

Ron & Susan Low
23-2035 Calle Lorca
Santa Fe. N.M. 87505

Response to RSL-1:

Thank you for your comment. Your support for Alternative 1 is noted. The No Action Alternative is presented as Alternative 1, Current Management, in the DEIS and represents continuation of current management programs. The continuation of current programs satisfies NEPA's definition of No Action.

Response to RSL-2:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

Sustainable Agriculture
Protecting The Environment
& All Its Creatures

NEW MEXICO WOOL GROWERS, INC.
2231 Rio Grande NW - P.O. Box 7520
Albuquerque, NM 87194
Phone: (505) 247-0584 - FAX: (505) 842-1766

January 10, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

On behalf of the New Mexico Wool Growers Inc. (NMWGI) and its membership, I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS).

RLM-1 First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

RLM-2 The NMWGI supports the preferred alternative specified in the draft EIS, the continuation of current management. We feel that Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. We do, however, have some concerns with the document, which are documented below.

RLM-3 1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

   What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

RLM-4 2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

RLM-5 3. Section 4.1.1 of the draft EIS addresses grazing. The NMWGI does not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. We feel that today's livestock producers have more knowledge and manage their operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques

Response to RLM-1:

This comment reflects an opinion; thank you for your comment.

Response to RLM-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to RLM-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to RLM-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to RLM-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

RLM-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. The NMWGI is strongly opposed to this entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,

Ron L. Merritt, Jr.
President

Cc: New Mexico Congressional Delegation
Governor Gary Johnson
Lt. Governor Walter Bradley
Michelle Chavez, State BLM Director

Response to RLM-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a low number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Public Comment <swcbd@sw-center.org> on 01/10/2000 03:50:28 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Shelly Morris
Address: PO Box 337
City: Animas
State: NM
Zip: 88020
Phone: 505-548-2571
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. The preferred alternative is the best choice. Thank you.

SM-1

Remote_Addr: 208.164.126.48
HTTP_User_Agent: Mozilla/4.0 (compatible; MSIE 4.01; Windows 98)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to SM-1:

Thank you for your comment. Your support for Alternative 1 is noted.

NEW MEXICO NATURAL HISTORY INSTITUTE
A Nonprofit Corporation
1750 Camino Corrales
Santa Fe, New Mexico 87505-7502

10 January 2000

Bill Merhege, Project Leader
Bureau of Land Management
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhege:

Thank you for opportunity to comment on your DEIS "Riparian and Aquatic Habitat Management." Its scientific pronouncements seem to be fair and thorough.

You know (and you say in Chapter 4) that fencing and exclusion of livestock is the effective means to get riparian recovery. We agree with that, and therefore favor Alternative 3. You should too.

Not wanting to commit to fencing all riparian areas, you prefer Alternative 2 (which is Alternative 1 dressed up with some pretty language). But even were you to allow livestock into riparian areas for a little dormant-season grazing, which under some conditions might not much harm the vegetation, you would at the same time be allowing those livestock to foul
RSP-1 streambeds and to trample banks. Cattle are the foulers and tramplers *par excellence*, much worse than sheep, horses, or native ungulates.

Alternative 3 should be modified to make clear that its monitoring requirements and its land-exchange goals are the same as those of Alternative 2.

The time has come to declare that at least the tiny percentage of BLM lands that can grow riparian vegetation should be excluded from livestock. Probably lots of other acres should be cattle-free too, but at least the riparian.

Sincerely,

Roger S. Peterson
Secretary

Response to RSP-1:

The BLM does not choose one grazing management system over another; however, periods of rest are important to ensure healthy plants. The grazing system must be developed to meet the needs of the resource but tailored to fit the livestock operation. Grazing in riparian areas is subject to monitoring to determine whether riparian health is being maintained. When grazing contributes to resource degradation, the BLM will take action to modify management of the allotment.

January 10

Bill Merhege
Project Leader, BLM
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

'00 JAN 13 P1:37

LAS CRUCES, NM 88005

Dear Bill Merhege

I understand the BLM is now considering new management alternatives. The land under which this new alternatives impact include over 15,000 acres of riparian and aquatic habitat which is a scarce ecosystem in New Mexico. In the past grazing management in these areas gave little or no concern to the condition of habitats. Now we realize their importance in maintaining a balanced healthy environment. It is now time to start programs that directly address the recovery of riparian and aquatic habitats. It is now time to start on a new path of public land management. The adverse impacts of grazing must be acknowledged. Even in your own DEIS you admit the degraded condition of these ecosystems and you know the cause, it is over grazing. In the past you assumed that grazing cattle is the only use of the land. You assumed there were no other benefits. Now we know this is not true. Such a philosophy is a very narrow, selfish, and closed minded. Your preferred alternative does nothing to address the recovery of riparian and aquatic habitat. I want you to select alternative 3 as the most beneficial alternative in regards to riparian and aquatic habitat. I do not want my public lands degraded any more by the cattle industry. As of now these riparian and aquatic lands have only one use and that is to water cattle. I thought you were suppose to manage for multiple use. I want you to select alternative 3.

ER-1

Sincerely

Eric Rechel

Eric Rechel
2890 Seely Rd
Grand Junction CO 81503

Response to ER-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

10 January 2000

'00 JAN 12

Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

LAS

Attention: Bill Merhege, Project Leader

Re: COMMENTS ON DEIS FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT IN THE LAS CRUCES FIELD OFFICE

Thank you for the opportunity to comment on the subject Draft Environmental Impact Statement. As Director of Environmental Affairs, I have prepared these comments on behalf of the SouthWest Four Wheel Drive Association (SWFWDA), a regional organization consisting of 35 member clubs and 1500 member families who promote the responsible use of four-wheel drive vehicles. SWFWDA members make extensive recreational use of lands administered by your office and are very concerned about DEIS Alternatives 2 and 3.

TR-1

In reviewing the DEIS, we have found your selection of Alternative 1: *Current Management* as the preferred alternative to be the most appropriate of the three alternatives considered. SWFWDA strongly supports multiple use concepts in managing our public lands. Blanket policies such as those promoted in the other two alternatives do not allow federal land management agencies to determine the best and highest uses of the land and prevent them from making informed management decisions. Our opposition to Alternatives 2 and 3 stems not only from our concern for preserving primitive roaded recreational opportunities on public lands but also from our belief that public lands should continue to be managed in a manner that considers all needs. For these reasons, the SWFWDA supports the more balanced approach to riparian and aquatic habitat management provided by your current program, which has been identified, perhaps inappropriately, as the "no-action alternative."

The specific reasons for our conclusions are summarized as follows.

TR-2

Single-Minded Purpose of Preferred Alternative 2 Ignores Common Sense and Good Management Practice. As stated on p. 2-6 of the DEIS, "... the Adaptive Management Alternative seeks first to do what is necessary to ensure the restoration and protection of riparian areas and then to permit those other uses to the extent that they are compatible with the preservation of riparian resources." This alternative subrogates *all* other uses to the preservation of riparian resources. This would be blind, unbalanced, and irresponsible management, in fact, it precludes any meaningful management at all. Although riparian habitat is certainly important, circumstances will arise where the need to preserve riparian resources must be weighed against other important and legitimate needs such as prehistoric and historic resource preservation, recreation and facility development, and public access. As you clearly understand, it is not good management

Response to TR-1:

Thank you for your comment. Your support for Alternative 1 is noted. The No Action Alternative is presented as Alternative 1, Current Management, in the DEIS and represents continuation of current management programs. The continuation of current programs satisfies NEPA's definition of No Action.

Response to TR-2:

Riparian habitat management does not exclude other management activities in riparian areas. The HMP (Volume 2 of the FEIS) identifies the improvement and protection of riparian habitat and associated threatened and endangered species habitat as primary objectives. These primary objectives do not exclude secondary objectives such as recreation or cultural resource management.

TR-2 (cont.)

practice to bind your hands with a policy that keeps you from weighing the multitude of needs on their own merits and coming to management decisions that make sense. Riparian resource preservation will not always be the best and highest management objective at all riparian locations. Alternative 2 does **not** make good management sense and should be rejected.

TR-3

Alternative 3 Grazing Management also Ignores Good Management Practice and Common Sense. As stated on p. 2-10 of the DEIS, "Under the Grazing Management Alternative, the Las Cruces Field Office would eliminate grazing by domestic livestock use in riparian areas ..." The blanket elimination of grazing, or any other legitimate, existing use of public lands, without consideration of site-specific conditions and mitigation measures is also blind, unbalanced management. Again, it is not good management practice nor the best and highest use of public lands to adopt a policy that constrains the BLM from making decisions based on the merits of each situation. It is entirely possible that grazing would be compatible with riparian protection in many areas, as illustrated in our next comment. Alternative 3 does **not** make good management sense and should also be rejected.

TR-4

Other Uses are Compatible with Good Riparian Management. Table 1.1 of the DEIS provides a summary of Las Cruces Field Office riparian areas, their current use, and their known condition. Returning riparian areas to the PFC (Proper Functioning Condition) state is indicated in the DEIS as the ultimate objective of BLM's management plans. Of the 12 riparian areas stated in the table to currently be in the desired proper functioning condition, five (or nearly half) of those areas currently allow grazing. This strongly indicates that good riparian management and grazing are not incompatible if properly managed. Although only grazing use was mentioned in the table, in the area administered by the Taos Field Office two out of the four properly functioning riparian areas were identified as also having OHV use. Again, this data indicates that good riparian management and OHV use are not incompatible if properly managed. It is clear that other uses such as grazing, OHV use, hiking, and fishing can be compatible with a properly functioning riparian area and should not be automatically excluded. Options such as Alternative 3 that automatically brand a certain use, and by extension, user, as incompatible should not even be considered. In fact, Table 1.1 provides good evidence that Alternative 3, or any other alternative that promotes a blanket ban on a particular activity, is completely inappropriate. The BLM is self-identified as a *management* agency. There are many legitimate uses of public lands and the first management reaction to a problem should be to seek mitigation, not closure.

TR-5

Allocation of Funding as First Priority. If the Las Cruces Field Office's highest priority was to protect and restore riparian areas as indicated on p. 2-6 under Alternative 2, it follows that other legitimate needs and uses of public lands managed by your office would suffer from a significant lack of funding while riparian management was vigorously pursued. This is not a good management policy because many of your other important programs, such as biodiversity enhancement and T&E species protection in non-riparian areas, would unduly suffer. It should be clear that there are many important issues that need attention on public lands administered by the BLM, not just riparian

Response to TR-3:

Thank you for your comment. Alternative 3, Grazing Management, addresses public input and issue identification received by the BLM during the scoping process.

Response to TR-4:

Except for Alternative 3, Grazing Management, activities or actions allowed within riparian areas (e.g., recreation or grazing) will be based on the site-specific requirements or management needs of individual riparian areas.

Response to TR-5:

Developing budget priorities has and will continue to be a challenge for public and private organizations. The BLM does not view the funding for riparian management as a “zero sum game” that deprives other field office activities of adequate funding. A HMP for riparian systems provides the documentation needed to assist in developing field office budget priorities.

habitat protection. It is suggested on p. S-1 in your summary statements that part of the legal objection to your current riparian management approach was that you have been proceeding too slowly due to a lack of funding. I submit that if riparian protection on public lands was of overriding interest compared to all other uses for a majority of the American people, the funding needed to provide that protection would have been there for you. The fact that it was not indicates that the level of riparian protection in Alternative 2 does not reflect the opinion of the majority of Americans but only of the relatively small group that filed the lawsuit. The best use of your limited funds is to continue with what you should be doing: provide balanced support for all legitimate uses of the lands you manage.

TR-5 (cont.)

Not a Good Precedent to Set in Responding to a Lawsuit. It is clear that riparian area protection is receiving the current high level of attention in response to special interest litigation. A reaction to satisfy that legal challenge by making riparian area protection superior to all other needs for management of public lands would not be appropriate. Suppose a Native American group filed a lawsuit contending that your protection of their ancestral sites was not being pursued with sufficient vigor. Would you then turn around and make protection of prehistoric and historic resources your number one priority? You would not be setting a good precedent in responding to the riparian habitat lawsuit by adopting either Alternative 2 or 3. As a citizen, I believe that adopting either Alternative 2 or 3 would be a serious overreaction to the riparian protection lawsuit and a terrible precedent to set in responding to future lawsuits.

TR-6

In summary, I urge you to maintain the multiple use philosophy that the BLM has held for so many years by adopting Alternative 1. As always, the SWFWDA looks forward to working with your office in the future.

Sincerely,

Terry Rust
Director of Environmental Affairs – SWFWDA
118 Beryl
Los Alamos, NM 87544

Response to TR-6:

This comment reflects an opinion. Thank you for your comment; again, your support for Alternative 1 is noted.

Public Comment <swcbd@sw-center.org> on 01/10/2000 02:01:27 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Kristen Sykes
Address: 1532 Monroe St, NW
City: Washington
State: DC
Zip: 20010
Phone: (202) 462-6119
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop. Select alternative three which will result in the removal of livestock from all these areas and provide the quickest and most beneficial recovery.

KS-1

I urge to enact strong protections for the Northern Goshawk which has been imperiled for quite some time and to protect much needed old growth forests and habitat. I look to you to make the right environmental choice and to protect old-growth and endangered species, to protect sensitive species and to do what is best for the environment!

KS-2

Sincerely,

Kristen Sykes

Remote_Addr: 165.247.97.225
HTTP_User_Agent: Mozilla/4.5 [en]C-CCK-MCD (Win98; I)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to KS-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to KS-2:

The BLM agrees that old-growth forests need to be protected; however, these forest habitats do not coincide with the riparian areas addressed in the FEIS. Thus, the Riparian and Aquatic HMP does not address old-growth forests. Similarly, the northern goshawk's preferred habitat (i.e., large expanses of mature coniferous forests) does not coincide with the specified riparian areas addressed in the FEIS. Therefore, riparian and aquatic habitat management would not affect the northern goshawk.

Public Comment <swcbd@sw-center.org> on 01/10/2000 02:20:12 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Christina
Address: Wulf
City: Waynesboro
State: VA
Zip: 22980
Phone: 540-942-1887
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. The DEIS states that most of the riparian areas are in a degraded condition and will only receive little improvement by the preferred alternative. The

CW-1

main reason for the degradation of these areas is cattle grazing. Our precious riparian and aquatic habitats are being destroyed by a handful of ranchers with the blessing of the BLM. This needs to stop.
America's public lands belong to all citizens, not to a relatively few ranchers, loggers, miners, etc. whose private profite interest has, for the past century, been given precedence over the ecological benefits provided by intact ecosystems to all humans. As a nation, our values have

CW-2

changed and it is time to get private corporate interests off public lands.
That means an end to commercial extraction of all kinds -- from cows to chainsaws to mining drills.
Please select alternative three which will result in the removal of livestock

CW-3

from all these areas and provide the quickest and most beneficial recovery.
Sincerely,
Christina Wulf

Remote_Addr: 216.174.7.12
HTTP_User_Agent: Mozilla/4.04 [en] (Win95; I)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to CW-1:

The BLM acknowledges that livestock grazing has occurred for many years on the majority of the public land. Carrying capacities for grazing animals (livestock and wildlife) using public land are now monitored. Grazing in riparian areas is subject to monitoring to determine whether riparian health is being maintained. When grazing contributes to resource degradation, the BLM will take action to modify management of the allotment.

Response to CW-2:

The BLM recognizes that economic, social, and cultural elements are integral components of public land management. The HMP reflects the BLM's intent to promote harmony among the multiple users who depend on the BLM land and its natural resources.

Response to CW-3:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

600 E. Colorado # 22
Las Cruces, NM 88001-3390
11 January 2000

'00 JAN 13

LA
LAS 005

Bill Merhege, Project Leader
Bureau of Land Management
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhege:

I am writing about the draft EIS for riparian and aquatic habitat management.

I support Alternative 3, to fence out domestic cattle from riparian and aquatic habitat.

AA-1 The deleterious effects of domestic cattle on riparian vegetation have been thoroughly studied and are well known. Further study would only delay protection until the cattle have eaten up and trampled down what little remains of our riparian vegetation.

Clearly cattle should be fenced away from riparian areas so that recovery can begin.

Sincerely,

Alice Anderson

Alice Anderson

Response to AA-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Public Comment <swcbd@sw-center.org> on 01/11/2000 09:02:51 AM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Paul Austgen
Address: 150 Fox Hill Lane
City: Colorado Springs
State: CO
Zip: 80919
Phone: 719 598 4691
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement.

PA-1

Select alternative one which will hopefully provide multi-use.

Remote_Addr: 156.153.255.114
HTTP_User_Agent: Mozilla/4.7 [en] (WinNT; U)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to PA-1:

Thank you for your comment. Your support for Alternative 1 is noted.

Public Comment <swcbd@sw-center.org> on 01/11/2000 10:12:27 AM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: George Johnson
Address: 255 Old Adobe Rd
City: Los Gatos
State: Ca
Zip: 95032
Phone:
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. I do not support the Center for Biological Diversity's self proclaimed "hard nose" position. I would not support a remove everything position and urge you not to support Alternative Three

GJ-1

Remote_Addr: 143.183.152.14
HTTP_User_Agent: Mozilla/4.0 (compatible; MSIE 5.0; MSN 2.6; Windows 98; DigExt; Freei Client 2.1)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to GJ-1:

Thank you for your comment. Your opposition to Alternative 3 is noted.

Public Comment <swcbd@sw-center.org> on 01/11/2000 09:48:50 AM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Michael Mills
Address: 32 Aggie Village J
City: Logan
State: Ut
Zip: 84341
Phone: (435) 797-6606
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: I am a student at Utah State University studying natural resource management and I am
writing to express my comments for the DEIS for Riparian and Aquatic Habitat. Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. The DEIS states that most of the riparian areas are in a degraded condition and will receive improvement by the preferred alternative. I give my full support of the preferred
alternative, which shows that proper management can allow multiple uses and still protect the
environment. Please follow thorugh by selecting the preferred alternative.

MM-1

Remote_Addr: 129.123.57.119
HTTP_User_Agent: Mozilla/4.5 [en] (Win95; I)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to MM-1:

Thank you for your comment. Your support for Alternative 1 is noted.

Public Comment <swcbd@sw-center.org> on 01/11/2000 08:55:56 AM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat

Name: Keith Sonnier
Address: 3916 Brentwood Avenue
City: Lake Charles
State: LA
Zip: 70607
Phone:
Subject: Comments for DEIS for Riparian and Aquatic Habitat
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. Please select the alternative that does not ban logging and cattle grazing. Thank you!

KS-1

Remote_Addr: 208.202.163.70
HTTP_User_Agent: Mozilla/4.0 (compatible; MSIE 4.01; Windows 95)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to KS-1:

Thank you for your comment. Your support for an alternative that does not ban logging and cattle grazing is noted.

Public Comment <swcbd@sw-center.org> on 01/11/2000 07:04:07 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat: Las Cruces Field Office

---

Name: Dick Young
Address: P.O. Box 591
City: Glenbrook
State: NV
Zip: 89413
Phone: (775) 749-5545
Subject: Comments for DEIS for Riparian and Aquatic Habitat: Las Cruces Field Office
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement.

I request that no change be made to the existing plan for the habitats described. It is important to our country that grazing be allowed to continue on these lands. Continued grazing will allow the county to continue taxing this activity (which is important to the tax base) and allows the rancher to continue earning a reasonable and just living.

DY-1

Public lands are presumed to be maintained for the public. Multiple use is a requirement for proper stewardship of our lands.

DY-2

Thank you for your consideration of this request.

Dick Young

Remote_Addr: 63.24.41.48
HTTP_User_Agent: Mozilla/4.7 [en] (Win98; U)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to DY-1:

This comment reflects an opinion; thank you for your comment.

Response to DY-2:

The comment reflects an opinion; thank you for your comment. The BLM's goal is to invest in economically and environmentally sound rangeland improvements to enhance public land for multiple uses in accordance with requirements of the FLPMA.

'00 JAN 14 P1:
LAS
LAS 005

Jimmy R. Bason
St. Rt. 2, Box 88
Hillsboro, NM 88042

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

JRB-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

JRB-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

JRB-3 1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

JRB-4 2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

JRB-5 3. Section 4.1.1 of the draft EIS addresses grazing. I do not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. Today's livestock producers have more knowledge and manage their

Response to JRB-1:

This comment reflects an opinion; thank you for your comment.

Response to JRB-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to JRB-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to JRB-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to JRB-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

JRB-5 (cont.)

operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

JRB-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. I strongly oppose that entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,

Jimmy R Bason

Jimmy Bason

Response to JRB-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Public Comment <swcbd@sw-center.org> on 01/12/2000 09:31:10 AM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat: Las Cruces Field Office

---

Name: Ty Bays
Address: P. O. Box 2982
City: Silver City
State: NM
Zip: 88062
Phone:
Subject: Comments for DEIS for Riparian and Aquatic Habitat: Las Cruces Field Office
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. The SWWF occurs in the Gila Valley in the midst of the most active grazing and farming regime in Grant County. Based upon this evidence and the fact that the SWWF has survived 100 + years of grazing I think it is premature to remove livestock and blame grazing for the demise of this species. The Center for Biological Diversity has no sound biological evidence to substantiate thier claim that the removal of livestock will benefit the SWWF. I urge you to continue to manage our public lands based upon sound scientific evidence. In addition we should allow grazing to continue on most BLM lands. Livestock production is a vital economic contributor to NM, especially to the rural counties. Sound management has proven that wildlife and agriculture can coexsist. I urge you to manage our public lands for the benefit of all, which includes grazing and wildlife.

TB-1

Remote_Addr: 198.176.208.42
HTTP_User_Agent: Mozilla/4.0 (compatible; MSIE 4.01; Windows NT)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to TB-1:

The intent of riparian management is to ensure that current and future use of these public lands does not compromise the productivity of the land and associated resources. The BLM recognizes that economic, social, and cultural elements are integral components of public land management. The Riparian and Aquatic HMP included in the FEIS reflects the BLM's intent to promote harmony among people (e.g., ranchers and recreational users) who depend on the public land and its natural resources. It must be recognized, however, that when it comes to species protected by the ESA, it may be necessary to focus on a single species. These laws require the BLM to take specific actions to protect the environment, and these laws are not overridden by the FLPMA.

Public Comment <swcbd@sw-center.org> on 01/12/2000 12:09:37 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat: Las Cruces Field Office

---

Name: Robert Benne
Address: 10111 E. Cholla St.
City: scottsdale
State: AZ
Zip: 85554
Phone:
Subject: Comments for DEIS for Riparian and Aquatic Habitat: Las Cruces Field Office
Comments: I stongly support the PREFERRED ALTERNATIVE for the management of riparian and aquatic habitats described in the draft environmental impact statement.

RB-1 The preferred alternative alternative was developed with the input and collabaration of all involved and should represent the most reasonable way to meet the goals.

I DO NOT support the removal of livestock as I believe they can be a strong tool for the continuing improvement of range conditions.

Remote_Addr: 12.72.32.75
HTTP_User_Agent: Mozilla/4.0 (compatible; MSIE 5.0; Windows 98; AT&T WNS5.0; DigExt)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to RB-1:

Thank you for your comment. Your support for Alternative 1 is noted.

Mary Ella Christian
P. O. Box 6
Tombstone, AZ 85638

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

MEC-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

MEC-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

MEC-3 1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

   What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

MEC-4 2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

MEC-5 3. Section 4.1.1 of the draft EIS addresses grazing. I do not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. Today's livestock producers have more knowledge and manage their

Response to MEC-1:

This comment reflects an opinion; thank you for your comment.

Response to MEC-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to MEC-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to MEC-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to MEC-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

MEC-5 (cont.)

operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

MEC-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. I strongly oppose that entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,

Mary Ella Cowan

Response to MEC-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Caren Cowan
3821 Don Juan Court, NW
Albuquerque, NM 87107

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

CCb-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

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Response to CCb-1:

This comment reflects an opinion; thank you for your comment.

Response to CCb-2:

Thank you for your comment; your support for Alternative 1 is noted.

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In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to CCb-4:

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Response to CCb-5:

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CCb-5 (cont.)

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CCb-6

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Thank you in advance for your consideration.

Sincerely,

Caren Cowan

Response to CCb-6:

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Robert E. Cowan
Cowan Ranches
P. O. Box 309
Tombstone, AZ 85638

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

REC-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

REC-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

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Response to REC-1:

This comment reflects an opinion; thank you for your comment.

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Thank you for your comment; your support for Alternative 1 is noted.

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In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

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REC-5 (cont.)

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REC-6

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Thank you in advance for your consideration.

Sincerely,

Robert E. Cowan

Robert E. Cowan

Response to REC-6:

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DEPARTMENT OF AGRICULTURE
STATE OF NEW MEXICO

Box 30005, Dept. 3189
Las Cruces, New Mexico 88003-8005
Telephone (505) 646-3007

Gary Johnson
Governor

Frank A. DuBois
Secretary

January 12, 2000

Mr. Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005

Dear Mr. Merhege:

The following comments address the Bureau of Land Managements (BLM) draft Environmental Impact Statement (DEIS) for Riparian and Aquatic Habitat Management in the Las Cruces Field Office - New Mexico.

1. Section 1508.9, Environmental Assessment, of the Council on Environmental Quality (CEQ) National Environmental Policy Act (NEPA) regulations states, "'Environmental Assessment': (b) Shall include brief discussions of the need for the proposal, of alternatives as required by section 102(2)(E), of the environmental **impacts** of the proposed action and alternatives, and a listing of agencies and persons consulted." [emphasis added]. The significant language of this section is the use of the term "impacts" [i.e., effects]. "Effects" is defined in the CEQ-NEPA regulations at §1508.8 as follows:

> 'Effects' include:
>
> (a) Direct effects, which are caused by the action and occur at the same time and place.
>
> (b) Indirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.
>
> **Effects and impacts as used in these regulations are synonymous.** Effects includes ecological (such as the

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> effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural,economic, social, or health, whether direct, indirect, or **cumulative**. [emphasis added].

The term "cumulative impact" is defined in 40 CFR §1508.7:

> 'Cumulative impact' is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

In addition to impacts, section 1502.14 of CEQ-NEPA regulations states, "This section is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (§1502.15) and the Environmental Consequences (§1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public. In this section agencies **shall**: (F) Include appropriate **mitigation** measures not already included in the proposed action or alternatives." [emphasis added].

Mitigation is defined in section 1508.20 as follows:

> "Mitigation" includes:
> (a)Avoiding the impact altogether by not taking a certain action or parts of an action.
> (b)Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
> (c)Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
> (d)Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
> (e)Compensating for the impact by replacing or providing substitute resources or environments.

[This page intentionally left blank.]

The pertinent regulations cited above require comprehensive, detailed analyses of the listed factors (ecological, aesthetic, historic, cultural, economic, social, and health) be included in the DEIS document. This DEIS addresses the economically quantifiable use (grazing) of riparian areas. Alternatives may or may not have a direct effect on individuals, the livestock industry, and local communities of New Mexico, however, there could also be indirect and cumulative effects on individuals, the livestock industry and local communities. The BLM should not only identify the economic impacts (direct, indirect, and cumulative), of all the alternatives, but it should also quantify these impacts. In addition, the BLM should provide mitigation measures for all the alternatives. New Mexico Department of Agriculture (NMDA) requests the BLM comply with sections 1508.7, 1508.8, 1508.9, 1502.14 and 1508.20 of the CEQ-NEPA regulations in their entirety.

FAD-1

2. NMDA requests a clarification on who will pay for the fencing required to implement livestock management in riparian areas.

FAD-2

3. As stated by the BLM on page 4-20, "Improvement of many areas would be limited by the fragmented distribution of BLM riparian areas and the lack of coordinated watershed management efforts (BLM 1999)."[1] NMDA requests the BLM provide citations of cost benefit analyses that show the public will benefit from a small segment of stream attaining proper functioning condition (PFC), due to "the fragmented distribution of BLM riparian areas."

FAD-3

The definition of riparian area presented in this DEIS on page 1-1 is as follows,

> The BLM defines a "riparian area" as an area of land directly influenced by permanent water. It has visible vegetation or physical characteristics reflective of permanent water influence. Lake shores and stream banks are typical riparian areas. Excluded are such sites as ephemeral steams or washes that do not exhibit the presence of vegetation dependent upon free water in the soil.

---

[1]U.S. Bureau of Land Management, 1999, Draft Statewide Resource Management Plan Amendment/Environmental Impact Statement New Mexico Standards for Public Land Health and Guidelines for Livestock Management, BLM/NM/PL-99-001-1020, New Mexico State Office, Santa Fe, N.M., Feb.

Response to FAD-1:

None of the three alternatives presented in the DEIS would result in a measurable change in the total numbers of domestic livestock allowed within allotments that contain riparian habitats. Thus, there is no need to develop detailed analyses of potential economic impacts.

Response to FAD-2:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while permittees maintain those within the allotments.

Response to FAD-3:

The BLM's goal is to invest in economically and environmentally sound riparian improvements to enhance the lands for multiple uses. Before implementing an improvement, an EA and a benefit/cost analysis are prepared to determine the best format for the project. One of the priorities for using rangeland improvement funds is to protect and enhance critical resources and values.

FAD-4 NMDA requests the Las Cruces Field Office provide in this DEIS a list of riparian plant species that need to be present in order for a stream segment, spring, or seep to be classified as a riparian area.

FAD-5 NMDA requests the BLM provide citations or the location of hydrologic data that was used to classify each riparian area as either perennial, intermittent, or ephemeral.

4. It does not appear from the information provided in this DEIS that there is a protocol in place for the implementation of livestock management in riparian areas. NMDA requests FAD-6 BLM provide in this DEIS the criteria to be used for implementing each livestock management prescription, riparian pastures, winter grazing, long-term rest, or total exclosure.

5. After analyzing the alternatives and looking at past management prescription, how does the end result, relative to grazing, of each alternative differ from one another? It appears the main management tool used in the past was to fence a riparian area and exclude livestock. The tone of this DEIS (page 2-10) can be summed up as follows, " . . . the conventional wisdom [is] that grazing by domestic livestock is an inappropriate use of riparian areas and should not be allowed at any time." NMDA requests scientific literature citations that support this **conventional wisdom**. On page 3 of BLM's own technical report, Grazing Management for Riparian-Wetland Areas, the following FAD-7 statement is made,

> Livestock grazing can be a compatible use in riparian areas when managed in harmony with land management objectives, and when the function, capability, and potential of the site and the needs of the riparian vegetation guide the development of grazing management prescription.

Differing opinions exist in the two BLM documents. Why is livestock grazing considered a compatible use of riparian areas in the technical report, and is now an inappropriate use of riparian areas based on conventional wisdom?

6. Once a riparian area has reached proper functioning condition, will livestock grazing be resumed for alternatives 1 and 2? During a drought, will the riparian exclosure be used as FAD-8 a relief pasture? If grazing will not be resumed, NMDA requests the BLM provide citations or additional justification for not resuming grazing in a riparian area that has attained PFC.

FAD-9 7. On page 3-12 the following information is presented, "On the basis of an undated survey, this area was rated as FAR [functional - at risk], with an upward trend." Undated data are

Response to FAD-4:

A list of riparian obligate plants would not affect decisions relative to riparian and aquatic habitat management, which is why an exhaustive list of wildlife species that make use of riparian and aquatic habitats was not included in the DEIS. The dominant native and exotic plant species of concern (e.g., cottonwoods, willows, Russian olive, and saltcedar) were addressed throughout the DEIS. Other common riparian plant species were often mentioned in the descriptions of the specific riparian and wetland areas provided in Chapter 3 of the DEIS.

Response to FAD-5:

The information was obtained from the PFC survey files maintained in the Las Cruces Field Office. The surveys are performed according to the direction provided in the BLM 1737 series of riparian management guidance for PFC characterization site visits.

Response to FAD-6:

The BLM provides extensive information on the appropriate grazing protocols for each allotment in the allotment management plans maintained in the Las Cruces Field Office. If the allotment contains riparian habitat, the specific use of this land area is clearly described in the plan. In addition, the Riparian and Aquatic HMP (Volume 2 of the FEIS) for the Las Cruces Field Office presents a management framework, including site-specific goals and strategies based on the individual needs of each riparian area, that will ensure protection of the riparian resource. Finally, BLM resource specialists work with each permittee to implement a grazing strategy that provides long-term protection of the land and soil resources.

Response to FAD-7:

Except for Alternative 3, Grazing Management, all alternatives provide for the continuation of domestic livestock grazing that is governed by the management practices that protect riparian habitat. The conventional wisdom mentioned on page 2-11 of the DEIS is a summary statement that reflects the types and numbers of public comments on domestic livestock grazing received during public scoping.

Response to FAD-8:

Riparian habitat management strategies allow for changes in domestic livestock grazing activities as a function of the condition of each individual riparian area. For example, dormant-season grazing is permitted if sufficient vegetation composition and structure are present in riparian areas. However, riparian exclosures are not to be used as relief pastures during drought conditions.

Response to FAD-9:

Please see the HMP (Volume 2 of the FEIS).

FAD-9 (cont.)

of questionable merit, due to the possibility of the data not being representative of current conditions. Furthermore, one would assume riparian areas, springs and seeps with a PFC rating and no date are also undated surveys. NMDA requests that any riparian area, spring, or seep with a PFC rating also have the date of the survey, or if lacking a date, the BLM should explain that the rating, and thus the proposed management actions are questionable.

FAD-10

8. New Mexico Soil and Water Conservation Districts are subdivisions of the state and should be listed under New Mexico State Government.

FAD-11

NMDA supports the Las Cruces Field Office's selection of the current management alternative. However, the above points need to be addressed. NMDA believes the BLM decisions resulting from this planning process, based on a review of the proposed alternatives, could potentially have a negative effect on permittees and local communities in the Las Cruces Field Office area. As such, NMDA requests the BLM provide a full and fair disclosure to the public of the concerns expressed in this comment letter.

Sincerely,

Frank A. DuBois

FAD/rjw/gad

Response to FAD-10:

Correction noted. Please see Appendix A of Volume 1 of the FEIS.

Response to FAD-11:

Thank you for your comment. Your support for Alternative 1 is noted. Your letter representing the New Mexico Department of Agriculture's concerns has been included in Chapter 1 of the FEIS.

Callie Gnatkowski
1400 Pennsylvania NE, Apt. G
Albuquerque, NM 87110

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

CG-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

CG-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

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Response to CG-1:

This comment reflects an opinion; thank you for your comment.

Response to CG -2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to CG-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to CG-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to CG-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

CG-5 (cont.)

operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

CG-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. I strongly oppose that entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,

Callie Gnatkowski

Response to CG-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

January 12, 2000

Mr. Bill Merhege
Project Leader
Bureau of Land Management (B.M.)
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhege:

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed a limited review of the Draft Environmental Impact Statement (DEIS) for the proposed. riparian and aquatic habitat management in the Las Cruces Field Office area. The EIS examines a range of alternatives for restoring and protecting riparian habitats under B.M.'s jurisdiction which includes grazing management.

MPJ-1

Since the DEIS is programmatic in content and the alternatives considered promote environmental enhancement, EPA Region 6 has limited it review to insure that the DEIS meets the minimal administrative and procedural requirements established by the NEPA and the CEQ Regulations. Our limited review finds the EIS to satisfy this requirement and takes no position (Lack of Objections) on the preferred action or the alternatives.

We appreciate the opportunity to review the DEIS. EPA requests that you send our office one copy of the FEIS at the same time that it is sent to the Office of Federal Activities, EPA, 401 M Street S.W., Washington, D.C. 20460.

Sincerely yours,

Michael P. Jansky, P.E.
Environmental Review Coordinator

Internet Address (URL) • http://www.epa.gov
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Response to MPJ-1:

The BLM acknowledges receipt of the U.S. Environmental Protection Agency, Region 6, comments.

Center for Biological Diversity
protecting and restoring the west's deserts, grasslands, rivers, forests, and wildlife through science, education, policy development, and environmental law

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January 12, 2000

Bill Merhege, Project Leader
BLM, Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft: Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Albuquerque Field Office -- New Mexico

Please accept our comments regarding the above mentioned EIS.

Due to the fact that nearly all BLM lands in New Mexico are grazed, and most riparian and aquatic habitats have suffered extensive damage **we support Alternative 3**, exclusion of livestock use in all riparian habitats.

SJ-1 The DEIS points out many times that eliminating livestock use in riparian and aquatic habitats would result in the best protection for threatened and endangered wildlife and plants, water quality, recreation, and soils. We don't believe that the DEIS showed scientifically that manipulated grazing management can be beneficial to riparian habitats. However, Belsky, 1999 shows clearly that the overwhelming majority of science indicates that grazing in riparian areas causes harm under all management schemes.

Alternative Three seems to be the best action in light of all that will be gained. In the long run the cost will far out way the expense to protect T&E species, soils, and water quality.

Environmental Consequences

SJ-2 Section 4.1.1 seems to make the case for Alternative Three emphatically;

> "Livestock grazing has damaged 80% of the streams and riparian ecosystems in arid regions of the western United States."
>
> "The continued decline in riparian habitats in the West has been attributed, in part, to increased numbers of cattle in western rangelands."
>
> "Overgrazing reduces the density and biomas of many plant and animal species, reduces biodiversity, aids the spread of exotic species, interrupts ecological succession, impedes the cycling of nitrogen (the most important limiting nutrient in the West), changes habitat structure, disturbs community organization, and can severely impact riparian-wetland

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E-mail: sjimerfield@sw-center.org http://www.sw-center.org *post consumer content*

Response to SJ-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to SJ-2:

This comment reflects an opinion; thank you for your comment.

habitats (the biologically richest habitats in the region)."

"Cattle prefer to graze streamside riparian environments because these areas have flatter terrain, water, shade, and more succulent vegetation. Because of this livestock transition, riparian areas now receive heavier grazing pressures."

"Cattle can cause more damage to riparian zones than their often small numbers would suggest. They tend to avoid hot, dry environments and congregate in wet areas for shade, water, and succulent forage, spending 5 to 30 times more time in riparian zones than would be predicted from surface area alone."

"The physical effects of overgrazing on streams and streambanks can include: (1) shearing of streambank soils; (2) increase in water and wind erosion of exposed streambanks and channel soils because of loss of vegetative cover; (3) caving-in of streambanks from animal pressure; (4) reductions in streambank undercuts; (5) wider and shallower stream channels; (6) lower water tables; (7) increases in streambank slopes; (8) increases in summer stream water temperatures; (9) increases in streambank instability; (10) increases in suspended solids."

"Overgrazing also has detrimental effects on the biological resources of riparian-wetland areas. Livestock can alter riparian by (1) compaction of soil, which increases runoff and decreases water availability to plants; (2) removal of vegetation, which allows soil temperatures to rise, thereby increasing evaporation; (3) physical damage to vegetation by rubbing, trampling, and browsing; (4) increased dependance on shrubs for forage; and (5) altering the growth form of plants by removing terminal buds and stimulating lateral branching."

"Other effects of grazing on riparian vegetation include changes in species composition; decreases in plant vigor; changes in timing and amounts of organic energy leaving the riparian zone; decreases in canopy cover; reductions of vegetation hanging over and into the water column; reduction or alteration of the vertical and horizontal components of the tree, shrub, and herbaceous layers; and creation of conditions the favor exotic species (such as saltcedar)."

"Livestock contribute to the spread of exotic plant species by dispersing seeds in fur and dung and by reducing competition from native species by eating them."

"Cattle grazing can alter bird species composition by eliminating rare species as ecological generalists invade a site."

"Ground nesting birds are probably more severely effected by overgrazing than any other group of wildlife."

"Given the ubiquity of grazing in the West, species dependant on lush ungrazed ground cover are at risk, and doubtless their populations already are at levels far below historic

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levels."

"Livestock grazing effects raptors primarily by influencing the abundance and availabilty of their prey populations."

"Livestock can effect small mammals directly (by trampling burrows, compacting soil, or competing for food) and indirectly (by altering the structure or species composition of the vegetation in a manner that influences habitat selection by small mammals)."

It would seem that in light of this overwhelming evidence that the preferred alternative would be to eliminate cattle grazing entirely from the western range, however even for the few remaining riparian areas considered in this DEIS the BLM prefers to continue grazing cattle. The preferred alternative is based largely on unsupported statements in section 4.1.1., such as;

(1) "Dormant season use by livestock can generally result in improvement in the condition of riparian vegetation and in streambank stability."
(2) The best time for livestock to use riparian areas is from late fall to just before peak demand of those reserves for plant growth in the following spring."

SJ-3

Neither of these statements are supported by scientific evidence. In fact both statements are countered by previous statements, "cattle will concentrate in riparian areas in the fall because adjacent upland vegetation is drier and less palatable than riparian vegetation. As herbaceous cover is depleted, livestock will shift browsing riparian shrubs (especially willows) before leaf drop, reducing residual cover needed for stream bank maintenance during subsequent high spring flows." "Although riparian vegetation may prove resilient in the presence of livestock for several years, over the long term, species composition, structural diversity, width of riparian zone, and succession may be affected by the influence of livestock on the establishment and survival of tree seedlings."

It would seem that proposing to develop intensive rest rotation riparian pastures would be counter to all that has been presented in section 4.1.1 that has a citation other than internal BLM documents. In degraded areas, the cessation of livestock grazing for 5 years or more or perhaps permanently will be necessary to restore the natural vegetation and restore other natural resource values (Behnke 1979). Why does the BLM propose to conduct yet another elaborate expensive experiment with our riparian habitat, that will not provide any knowledge that does not already exist? It's simple get the cows off and you will have everything the public expects of our public lands. Catering to a few ranchers is not working in the interest of the American public.

SJ-4

Additionally, protecting T&E species and working toward their delisting will not be accomplished by maintaining the status quo. Species need to be recovered, that is they need to have their numbers and range increase. Species like the Mexican gray wolf will not be delisted as long as they are confined to a small area which limits their numbers. Live stock numbers and distribution will have to brought under control. The ubiquity of the livestock problem will in and of itself prevent the recovery of the wolf. This will lead to more lawsuits, huge expenses to the public, and a crime against our children.

SJ-5

Response to SJ-3:

The purpose of riparian habitat management is to focus on the health of these areas; however, the BLM has other goals it needs to strive for to meet its mandate for managing public land to accommodate multiple uses. Thus, where possible, the BLM is expected to find harmony between productive natural rangelands and the communities that depend on those rangelands.

Response to SJ-4:

The Riparian and Aquatic HMP focuses on productive and proper functioning riparian areas. When current uses do not interfere with achieving the riparian standards or objectives, they may continue. When current uses interfere with achieving the riparian standards or objectives, the uses will be modified. The intent is to ensure proper management of the riparian/aquatic habitats on public land.

Response to SJ-5:

The recovery of the Mexican gray wolf is beyond the scope of this specific EIS process; thank you for your comment.

Support for this claim is supported in your acknowledgment of the following scientific fact, "small mammals provide an important base for many animals at higher trophic levels." As well as the impact to deer, elk, and other food bases of the wolf.

I would now like to focus on the following two statement in the DEIS;

(1) "where grazing occurs in riparian areas, seasonal use (particularly the dormant season) is the preferred management technique to maintain these areas once they have attained proper functioning condition."
(2) The extreme position is that livestock grazing should be excluded from Western riparian ecosystems wherever possible because of the scarcity of these areas and their importance to wildlife."

Number one assumes that riparian areas can be "maintained" with cattle grazing, yet no evidence is given to support this statement other than the table in appendix B. High quality functioning riparian is not a result of grazing.

SJ-6 BLM criteria for PFC can be met after an area has been excluded from grazing, or has been severely limited to cattle impacts. That is because BLM criteria for PFC is compromised in order to allow the continuation of grazing. Nearly all non-agency peer-reviewed scientific literature shows that cattle degrade riparian ecosystems under all management schemes. Cattle are returned or allowed to continue to graze riparian ecosystems because that is the agencies preferred management practice, not because it will "maintain" the system as PFC.

Number two is the most puzzling of all. The overwhelming scientific evidence supports the removal of cattle from nearly all western range, and the majority of Americans support the removal of cattle to protect wildlife and water, yet the BLM views this as an "extreme position." I would argue that the extreme position would be to allow the BLM and other Federal and State
SJ-7 agencies to continue to endanger wildlife and plants, cause flooding and desertification, pollute the water, and spend millions of our tax dollars every year to do it. Your position is extreme and a complete attack on common sense which shows a deep systemic lack of accountability to the American people. How did the BLM obtain this position? Is there any evidence that proves it to be true?

Proposed Management

We propose the BLM choose Alternative Three which would remove cattle from all the riparian areas described in the DEIS. We also believe that changes in the management of the
SJ-8 uplands regarding cattle will need to be considered. None of the proposed alternatives can achieve their intended results until the uplands are considered as well. The only alternative that guarantees a level of recovery acceptable given the exclusion of management changes in the uplands is Alternative Three.

Drought Management

Response to SJ-6:

The Riparian and Aquatic HMP focuses on productive and proper functioning riparian areas. When current uses do not interfere with achieving the riparian standards or objectives, they may continue. Where current uses interfere with achieving the riparian standards or objectives, the uses will be modified. The intent is to ensure proper management of riparian/aquatic habitats on public land. Grazing in riparian areas is monitored to determine whether riparian health is being maintained. Where grazing contributes to resource degradation, the BLM will take action to modify management of the allotment.

Response to SJ-7:

It is the intent of the BLM to improve the health of the land, not to stop livestock from grazing on public lands or to put anyone out of business. If public lands are degraded, the BLM first determines the causes. If an action needs to be taken to change the management or the use of the land, the appropriate action will be identified. For example, if public land is not healthy because of current grazing practices, a change in management of livestock would be required. If the public land is not healthy because of another use (e.g., recreation), a change in management of that land use would be required so the land can achieve its potential. The purpose of riparian habitat management is to help ensure the health of these areas; however, the BLM has other goals it needs to strive for to meet its mandate for managing public land to accommodate multiple uses. Thus, where possible, the BLM is expected to find harmony between productive natural rangelands and the communities that depend on those rangelands.

Response to SJ-8:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

It is increasingly understood that the climate of the arid southwest is not predictable, and more variable than previously thought. A great deal of the damage caused by cattle to the land happens during periods of drought. Often the damage caused during a drought is irreparable or takes a very long time period to recover (often it will not as cattle are left to continue degrading the land or maintain the level of degradation caused during the drought). BLM needs to begin incorporating a Drought Management Plan into all grazing leases.

SJ-9

Management plans never consider the issue of drought. The BLM needs a mechanism built into the permit which would allow for a quick implementation of a previously decided plan to handle a dry period. Often a dry period can be as short as 3 for 4 months, and depending on the time of year cattle impacts could be severe. Often the only solution is to remove the cattle until the dry period has ended. Under current management practices this is nearly impossible.

That concludes our comments. Please keep me informed as to any decisions or further public participation processes.

Sincerely,

Shane Jimerfield
Assistant Director

Response to SJ-9:

BLM's Riparian Area Management TR 1737-14 (BLM 1997) addresses livestock management considerations associated with drought conditions.

Diann Lee
P. O. Box 515
Bosque, NM 87006-0515

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

DL-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

DL-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

DL-3 1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

   What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

DL-4 2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

DL-5 3. Section 4.1.1 of the draft EIS addresses grazing. I do not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. Today's livestock producers have more knowledge and manage their

Response to DL-1:

This comment reflects an opinion; thank you for your comment.

Response to DL-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to DL-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to DL-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to DL-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

DL-5 (cont.)

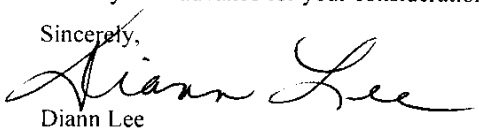
operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

DL-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. I strongly oppose that entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,



Diann Lee

Response to DL-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Mike Lee
P. O. Box 515
Bosque, NM 87006-0515

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

ML-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

ML-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

ML-3

1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

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ML-4

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ML-5

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Response to ML-1:

This comment reflects an opinion; thank you for your comment.

Response to ML-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to ML-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to ML-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to ML-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

ML-5 (cont.)

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Thank you in advance for your consideration.

Sincerely,

Mike Lee

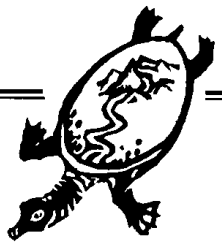
Mike Lee

Response to ML-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Upper Gila Watershed Alliance

PO Box 383, Gila NM 88038 Phone/Fax (505) 535-4291• email@ugwa.org • www.ugwa.org



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12 January 2000

Bill Merhege, BLM Project Leader
Bureau of Land Management
1800 Marquess
Las Cruces, New Mexico 88005

Dear Bill,

We very much support all your efforts that help protect and enhance the critical riparian and aquatic habitats under your jurisdiction. Thank you. Also, thank you for keeping us in the loop by sending us a copy of the *Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office.*

SM-1

It has been our experience over the past 12 years or so that the best work we could do to help protect and enhance riparian habitats in our area has been to exclude livestock. That has not been easy, especially in an area such as ours where much of the land, at least here in the Gila Valley, is privately owned. Overall, the Gila National Forest, The Nature Conservancy, and a good number of private landowners have, over the past decade, done an admirable job of getting livestock excluded from along the river here. The results have been dramatic, illustrating how well riparian areas can heal given the chance.

Please consider seriously implementing Alternative 3: grazing management. It is the alternative that truly makes the most sense.

SM-2

As for specific areas in the document, we strongly encourage you to get the necessary fencing done ASAP on the Bear Creek ACEC. This would be a timely compliment to the riparian fencing work currently being done by members of the Sufi Community just upstream. You might consider contracting them to help you do this work. I have contact information if you need it. If that is not possible, perhaps we can be of service. As a local nonprofit conservation organization, we have human resources that perhaps could be put to work to help you get the Bear Creek fencing done (one of us happens to be a NM licensed fencing contractor). We know how busy you all are, and if a cooperative fencing venture makes some sense, please let us know.

SM-3

We note that you oversee two grazing allotments in the Gila Middle Box. Although your document makes clear that currently the permittees do not have livestock down in the associated riparian areas, it remains unclear if they can do so in the future. We strongly recommend that ways be found to permanently exclude livestock from these areas in their allotments.

Thanks again for doing this work.

Sincerely,

Stephen MacDonald

Stephen MacDonald
UGWA coordinator

Response to SM-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc.1.

Response to SM-2:

Thank you for your comment. Your concerns for fencing the Bear Creek ACEC and offer to help are noted.

Response to SM-3:

This comment reflects an opinion; thank you for your comment.

Mrs. Lou McDonald
P. O. Box 4676
Huachuca City, AZ 85616

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

MLM-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

MLM-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

MLM-3

1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

   What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

MLM-4 2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

MLM-5 3. Section 4.1.1 of the draft EIS addresses grazing. I do not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. Today's livestock producers have more knowledge and manage their

Response to MLM-1:

This comment reflects an opinion; thank you for your comment.

Response to MLM-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to MLM-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to MLM-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to MLM-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

MLM-5 (cont.)

operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

MLM-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. I strongly oppose that entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,

Mrs. Lou McDonald

Response to MLM-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Public Comment <swcbd@sw-center.org> on 01/12/2000 09:23:23 PM

To: gis@sw-center.org, Bill Merhege/LCFO/NM/BLM/DOI@BLM
cc:
Subject: Comments DEIS Riparian and Aquatic Habitat: Las Cruces Field Office

---

Name: Troy Sauble
Address: 3405 calle Cuervo NW Apt 613
City: Albuqurque
State: nm
Zip: 87114
Phone: 899-2102
Subject: Comments for DEIS for Riparian and Aquatic Habitat: Las Cruces Field Office
Comments: Please accept my comments below regarding the management of riparian and aquatic habitats described in the Draft Environmental Impact Statement. I belive that you need to listen to and include everyone in this decision and not give in to the radical enviormental movement who's only goal is to deny the people of New Mexico access to the lands and means of support that they have depended on for generations. There should be a middle ground that all can agree to meet. I ask that you stop and think about the people who use the land and depend upon it and who have cared for it for generations before these new comers and their big bucks and lawsuits. Thank you for your efforts and time.

TS-1

Remote_Addr: 216.161.46.185
HTTP_User_Agent: Mozilla/4.04 [en] (Win95; U)
HTTP_Referer: http://www.sw-center.org/swcbd/activist/blmlc.html
HTTP_From: (null)

Response to TS-1:

This comment reflects an opinion; thank you for your comment.

Randy Summers
3821 Don Juan Court, NW
Albuquerque, NM 87107

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

RS-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

RS-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

RS-3 1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

   What do you mean by "unless fire is a natural part of the ecosystem?" Is it not a natural part of all ecosystems? It contributes to the health of land by eliminating overgrowth and providing more room for new growth to occur. Regular fires also keep the fuel load under control, eliminating the danger of uncontrollable fires resulting in injuries to animals, people and property.

RS-4 2. On page 2-6, fencing specifications are discussed. Who will install these fences if they are required? Who will pay for them? Who will be responsible for maintenance and upkeep?

RS-5 3. Section 4.1.1 of the draft EIS addresses grazing. I do not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. Today's livestock producers have more knowledge and manage their

Response to RS-1:

This comment reflects an opinion; thank you for your comment.

Response to RS-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to RS-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

Response to RS-4:

The BLM will provide funding for fencing. The construction and maintenance costs will be negotiated between the BLM and the permittee, which is normally done for range improvement projects. In general, the BLM maintains fences outside of grazing allotments, while the permittees maintain those within the allotments.

Response to RS-5:

Riparian areas make up only a small fraction of the overall rangeland ecosystem, yet significantly contribute to the overall viability of that ecosystem. Thus, it is imperative to improve and protect the condition of these areas. To the extent that past grazing practices have contributed to the deterioration of riparian areas, priority must be assigned to improving their condition. Cooperation from livestock producers using proper grazing management practices will help improve the condition of riparian areas.

RS-5 (cont.)

operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

RS-6

4. On page 4-15, section 4.2.2.2, is a discussion of alternative management for the southwestern willow flycatcher. I strongly oppose that entire statement, especially "excluding additional areas and removing these areas from the allotment base and acquiring adjacent non-BLM lands to better manage and/or increase the extent of contiguous riparian habitats."

Thank you in advance for your consideration.

Sincerely,

Randy Summers

Response to RS-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

Rachel Thomas
P. O. Box 4637
Huachuca City, AZ 85616

January 12, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

RE: Draft Environmental Impact Statement for Riparian and Aquatic Management in the Las Cruces Field Office

Dear Mr. Merhege:

RT-1 I am writing to comment on the above-specified Draft Environmental Impact Statement (EIS). First of all, I would like to commend you on the proper use of the No Action Alternative, with no changes from current management, as required by the National Environmental Policy Act (NEPA) that was used in this document.

RT-2 I support the preferred alternative specified in the draft EIS, the continuation of current management. Bureau of Land Management (BLM) land is best managed by cooperation between BLM staff and livestock grazing permittees and/or other users who depend upon the land to provide their livelihoods. I do, however, have some concerns with the document, which are documented below.

RT-3 1. On page 2-2, the draft EIS states "Suppression of wildfire in riparian habitats will have a high priority unless fire is a natural part of the ecosystem. Riparian areas that have burned will be rehabilitated as necessary through protection, reseeding or planting." What is the difference between a wildfire and a natural fire?

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RT-5 3. Section 4.1.1 of the draft EIS addresses grazing. I do not disagree that historic overgrazing may have caused long-term damage to many rangelands and other areas in the state. However, that damage is probably a century old. Today's livestock producers have more knowledge and manage their

Response to RT-1:

This comment reflects an opinion; thank you for your comment.

Response to RT-2:

Thank you for your comment; your support for Alternative 1 is noted.

Response to RT-3:

In response to your comment, Appendix A of Volume 1 of the FEIS (the Addendum to the DEIS) notes that "Suppression of wildfire in riparian habitats..." should be changed to "Suppression of fires in riparian habitats..." Although wildfires are a natural phenomenon, the suppression of fires in riparian areas has a high priority, particularly in areas that have been invaded by saltcedar, which typically resprouts much more vigorously than native woody vegetation after fires. Also, flooding is a more natural governing force within riparian areas than wildfires.

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RT-5 (cont.)

operations more scientifically than producers in the past may have. The document's emphasis on the problems caused by overgrazing seems more than extreme because of today's management techniques.

RT-6

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Thank you in advance for your consideration.

Sincerely,

Rachel Thomas

Rachel Thomas

Response to RT-6:

Federal laws require restoration of critical habitat for endangered species. Because the riparian habitats that the southwestern willow flycatchers depend on for their recovery are relatively small compared with the overall extent of rangeland ecosystems, actions to restrict other uses in those limited areas may be necessary. In virtually no cases would these limited actions totally eliminate domestic livestock grazing. Acquisition of additional habitat from willing sellers would involve a small number of acres in relation to an entire allotment. Cooperation and consultation with permittees would be required to address potential management issues such as water sources and fencing.

GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Office of the Secretary
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502-6110
Telephone (505) 827-2855
Fax: (505) 827-2836

PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

January 20, 2000

Bill Merhege, Project Leader
Bureau of Land Management
Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhege:

RE: BLM, LAS CRUCES FIELD OFFICE DEIS FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT

This transmits New Mexico Environment Department (NMED) staff comments concerning the above-referenced Draft Environmental Impact Statement (DEIS).

Affected Environment

Inclusion of All BLM Riparian Areas in the EIS Area

GC-1

The list of riparian areas comprising the affected environment appears to be fairly complete, but the Rio Grande (several reaches) and numerous springs were not included in the DEIS. Following are the locations of several springs indicated on the Silver City 1:100,000 BLM Land Status Map on BLM land but not included in the DEIS: T16S, R21W, S14 (three springs); T17S, R20W, S7; T17S, R18W, Sections 13, 22, and 24 (three springs); T18S, R18W, S23; T16S, R18W, S1; and T15S, R16W, S24. Additional examples can be found in the remaining affected area.

Clarification is needed as to how the streams and springs of the affected environment were inventoried, why any riparian or wetland areas were excluded, and whether this document also addresses management of riparian or wetland areas on BLM land not currently included in the BLM inventory.

Recommended Changes to Table 3.2

GC-2

The caption for Table 3.2 on page 3-6 contains several errors. The caption should be changed as follows:

a Notes: TMDL Segment = river miles for which total maximum daily load (TMDL) analysis must be completed; TMDL Schedule = the mandatory year of completion by

Response to GC-1:

All riparian areas (except the Rio Grande) are intended to be included within this document. However, because of the scattered land patterns, some small riparian areas may have been omitted. If new areas are located in the future, they will be incorporated into the protection strategies identified in the HMP (see Volume 2 of the FEIS).

Response to GC-2:

Changes to Table 3.2 have been made on the basis of the suggestions offered in the comment. Please see Appendix A of Volume 1 of the FEIS.

NMED or EPA of a TMDL document describing the causes (water quality parameters) and sources (discharges and land-use activities) of non-support; Causes of Non-support = water quality parameters for which the water quality of TMDL segments does not support their designated uses; NPDES Permits = discharge permits issued under the National Pollution Discharge Elimination System; Water Supply Systems = regulated drinking water supply systems in the watershed that depend on surface water; COE §404 Permits = the number of actions (information provided, public meetings, field inspections, and permits issued by the U.S. Army Corps of Engineers [COE]) regarding §404 of the Clean Water Act and §10 of the Rivers and Harbors Act; USGS Stations = U.S. Geological Survey (USGS) stream gauging stations in the hydrologic unit.

Source: New Mexico Environment Department and Natural Resources Conservation Service (1998).

GC-2 (cont.)

The following changes to the table itself should be made:

1. The hydrologic unit code for the Tularosa Valley is 13050003 rather than 1305003.
2. The Jornada Draw, Playas Lake, Animas Valley, and San Simon watersheds have zero causes of non-support (no streams in these watersheds were placed on the Clean Water Act (CWA) §303(d) List).
3. For the reason provided in item 2, these watersheds have zero TMDL segment miles (rather than "no data"). This does not mean that the few streams or riparian areas in these watersheds are not degraded; participants in the unified watershed assessments (UWA's) may have been unfamiliar with these areas. NMED encourages participation by the BLM in UWA meetings.
4. These watersheds also have zero discharge permits under NPDES and zero regulated drinking water systems utilizing surface water.

Alternatives: Substantive New Alternative Recommended by NMED

GC-3

The stated purpose of the management strategy to be selected pending this environmental impact analysis is restoration and protection of the riparian habitat under BLM jurisdiction (p. S-1). Alternative 1 (Current Management, and the alternative preferred by BLM) lacks a specific focus on restoring and protecting riparian habitat. Alternative 2 (Adaptive Management) has the favorable goal of assigning "highest priority to those management practices...to restore and protect all riparian and aquatic habitats under BLM jurisdiction" (p. S-1). An example where the approach of Alternative 2 is superior to that of Alternative 1 can be found with Bear Creek. Further analysis may indicate the problems observed on Bear Creek (see p. 3-15) are caused in part by maintenance of a right of way with numerous stream crossings both on the ACEC and upstream. While current management stipulates that riparian areas within ACEC's are excluded from new rights of way, no mention is made of rerouting or closing roads. In fact, the access program of the Mimbres Resource Management Plan (the current primary document providing management guidance), if implemented, would specifically increase public access to the Bear Creek ACEC (p. 2-3). Alternative 2, by contrast, has practices available for "road relocation, construction, and maintenance" and recreation planning (Table 2.1, p. 2-9) specifically addressing riparian management.

Response to GC-3:

Alternative 1 does not prohibit actions to improve and protect riparian areas. The Mimbres RMP (BLM 1993b) is not a prescriptive document. If ongoing monitoring of riparian areas reveals the need to implement new management actions, these actions can be undertaken.

The example of Bear Creek also illustrates that the focus of Alternative 3 on cessation of grazing in riparian areas does not adequately address other problems. Alternative 3 (Grazing Management), which excludes livestock from riparian areas, does have favorable characteristics, however. It has been demonstrated that permanent removal of livestock from riparian areas results in the highest probability of successful recovery and that use of livestock grazing as a management tool for riparian recovery does not, under any management strategy, accelerate recovery faster than total exclusion (Kauffman et al. 1997). Alternative 1 (Current Management), the preferred alternative, does not necessarily exclude livestock from riparian areas. Under Alternative 1 the BLM "would continue the custodial actions that are presently underway to improve the riparian areas on a case-by-case basis" (Section 4.2. Impact Analysis, p. 4-10). Under Alternative 2 the BLM "would initiate activities focused on maintaining those areas currently in proper functioning condition and restoring the other areas to proper functioning condition" (Section 4.2. Impact Analysis, p. 4-14). Under Alternative 3

> "[r]emoval of livestock from those riparian areas that would be grazed under the Current Management Alternative or Adaptive Management Alternative could hasten the restoration of those areas toward PFC, providing that other management actions are undertaken. Such other management actions would include controlling invasive species, planting of native species, and implementing other projects and tasks listed for the Adaptive Management Alternative (see Section 4.2.2.1). In the absence of these additional management activities, attainment of PFC from exclusion of livestock alone would likely be slower, and a smaller proportion of areas would attain PFC than under the Adaptive Management Alternative. In fact, without additional management activities, attainment of PFC would likely occur more slowly than development of PFC under the Current Management Alternative" (Section 4.2.3.1. Attainment of Proper Functioning Condition, p. 4-17).

GC-4

Despite this acknowledgement, Alternative 3 does not specifically provide for any "other management actions." It simply bans livestock from riparian areas without allowing for management actions that would enhance the benefits of livestock exclusion. Alternative 3 "likely would have a small adverse effect on the economies of New Mexico as a whole and southwestern New Mexico in particular" (Section 4.2.3.4, Socioeconomics, p. 4-18). Alternative 3 should be revised to include other appropriate management actions or a new, more comprehensive alternative should be developed that is a synthesis of Alternatives 2 and 3.

Environmental Consequences

Compliance with State and Federal Environmental Regulations

Active restoration of riparian areas requires an understanding of watershed and geomorphic processes in the design process. Permitting procedures are in place in part to ensure that work in stream channels will achieve desirable goals with minimal undesirable consequences. Several riparian management practices listed in Table 2.1 (p. 2-9) may require dredge and fill permits from the U.S. Army Corps of Engineers under §404 of the Clean Water Act (CWA). These practices include construction of in-stream structures, some bank stabilization practices, construction of access sites on stream banks, and road construction or major maintenance (e.g., installation of culverts). Section 404 permits also

GC-5

Response to GC-4:

The Las Cruces Field Office currently manages riparian areas in accordance with applicable BLM guidance and decisions from the Mimbres RMP (BLM 1993b), with the objectives of restoring and protecting riparian and aquatic ecosystems in the context of authorizing other land management activities. Thus, Alternative 1, Current Management, is based on modern business practices of goal setting; inventory and data collection to evaluate progress in achieving goals; and implementing corrective actions, if necessary, to meet the needs of individual riparian areas. Alternative 3, Grazing Management, was developed in response to public scoping input that clearly specified a need to exclude domestic livestock from riparian areas. Because Alternative 1 clearly involves implementation of a number of actions or sets of actions to improve riparian habitat, there is no need to revise Alternative 3 or develop new alternatives.

Response to GC-5:

The BLM's goal is to invest in economically and environmentally sound riparian habitat improvements. Before implementing an improvement, an EA and a cost/benefit analysis are prepared to determine the best format for the project. In addition, all required permits are addressed during the project design phase.

GC-5 (cont.) require state approval under CWA §401 before work can commence. In New Mexico, state approval is promulgated under NMSA §74-6-5.

Impacts of Proposed Action on Water Quality

GC-6 The alternative that best supports the stated goal of restoration and protection of riparian habitats will be most beneficial to water quality. As stated in Table S.1 (p. S-4), water quality is primarily a function of overall watershed condition. However, protection of riparian areas is likely to have a significant positive impact on the amount of pollutants, particularly sediment, in streams. For example, establishment and protection of vegetation will likely stabilize stream banks and reduce erosion; livestock exclusion from riparian areas will likely reduce stream bank trampling, thereby reducing sediment loading, and also reduce nutrient transport to surface water.

Influence of Watershed Management on Riparian Areas

GC-7 The authors of the DEIS state (pp. S-7, 2-1) that segments of riparian areas under BLM jurisdiction are often only a small part of a larger area under other jurisdictions over which the BLM has no management responsibility or authority. By the same token, the BLM does have management responsibility, for uplands, that influences non-BLM administered riparian areas. Documented effects of land management activities (e.g., grazing, silviculture, fire management, road building and maintenance) on surface hydrology (especially infiltration, runoff, channel morphology, and erosion) can impact water quality and riparian health downstream in a watershed. Because these impacts primarily produce nonpoint source pollution loading, their remediation is voluntary under the CWA. Section 319(h) of the CWA outlines a grant program for nonpoint source pollution prevention projects which, in New Mexico, is managed by the Nonpoint Source Pollution Section of NMED's Surface Water Quality Bureau. NMED encourages the BLM to respond to future requests for proposal for nonpoint source pollution prevention projects.

Reference to the Soil Conservation Service

GC-8 The next to last paragraph in Section 4.3 (Cumulative Impacts), p. 4-20, refers to the Soil Conservation Service. It is now known as the Natural Resources Conservation Service.

Consultation and Coordination

GC-9 The New Mexico Environment Department appreciates being consulted by the BLM in this and future environmental impact analyses. In Section 5.3 (Agencies and Organizations Consulted, p. 5-1), NMED is not listed as an agency that was informed or contacted during the preparation of the DEIS. We wish to be on the BLM distribution list for scoping and draft environmental impact statement review and to have our consultation acknowledged.

References

1. Kauffman, J.B. et al. 1997. An ecological perspective of riparian and stream restoration in the western United States. Fisheries 22(5):12-24.

Response to GC-6:

It is arguable that the elimination of livestock grazing would be a viable alternative if BLM's sole management goals were to maintain, enhance, or restore riparian and aquatic habitats for their ecological value. However, it is also the BLM's mandate to manage the lands under its jurisdiction for multiple uses. The settlement agreement that necessitated the preparation of the EIS required the inclusion of one alternative that may not conform to current resource management plans. The alternative selected to meet this condition was the grazing alternative. The complete discontinuation of grazing would not conform to the principles of multiple use management under FLPMA.

Response to GC-7:

The BLM recognizes that its land management responsibility is often connected to adjoining lands through functions and/or processes. Management programs worked out with the adjoining landowners are generally more effective and efficient than programs designed to address only public land management. The BLM strives to develop science-based programs by partnering and coordinated planning. Management activities are implemented in careful and considered consultation, cooperation, and coordination with lessees, permittees, and others with a vested interest in the use and/or restoration and maintenance of riparian areas and watersheds. As appropriate and allowable under established regulations, the BLM will consider responding to future requests for proposals for nonpoint source pollution prevention projects.

Response to GC-8:

Comment noted. This correction has been incorporated in Appendix A of Volume 1 of the FEIS.

Response to GC-9:

The BLM appreciates your comments. Your agency has been added to the distribution list in Appendix A of Volume 1 of the FEIS and will be added to the BLM distribution list for future scoping and DEIS reviews.

We appreciate the opportunity to comment on this document. If you have any questions on the above you may contact Mr. Gary Schiffmiller or Mr. Abe Franklin, from the Department's Surface Water Quality Bureau, at (505) 827-2470. Please let me know if you have any other questions on the above.

Sincerely,

Gedi Cibas, Ph.D.
Environmental Impact Review Coordinator

NMED File No. 1334(3)ER

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1553 Brookvale Drive #1
San Jose, CA 95129
February 2, 2000

Bill Merhege, Project Leader
BLM, Las Cruces Field Office
1800 Marquess
Las Cruces, NM 88005

Dear Mr. Merhege:

DRAFT EIS FOR THE "RIPARIAN AND AQUATIC HABITAT MANAGEMENT PLAN": ADOPT ALTERNATIVE 3

I commend you and the staff at the Las Cruces Field Office for your initiative to restore the ecology of streams and environmentally sensitive areas on federal public lands under your jurisdiction.

I strongly urge that the BLM adopt **ALTERNATIVE 3** of the Draft EIS for the "Riparian and Aquatic Habitat Management Plan." That alternative will exclude grazing by domestic livestock in riparian areas. The presence of cattle is incompatible with the ecological health of those areas and with maintaining the diversity of plants and animals that depend upon them. We can best restore sensitive riparian and aquatic areas with the permanent removal of cattle.

Thank you for your kind consideration of my comments.

Respectfully,

Edward M. Smith

Response to EMS-1:

Thank you for your comment. Your support for Alternative 3 is noted; see the response to Misc. 1.

February 6, 2000

Bureau of Land Management
Las Cruces Field Office
1800 Marquess Street
Las Cruces, New Mexico 88005-3371

Charles R. Sands
418 W. 40th Street
San Pedro, CA 90731

My Dear Fellow Americans,

CRS-1 Thank you for the opportunity to provide my views for consideration during the review of the of the draft EIS being produced by the Bureau with regard to New Mexico's riparian and riverine areas. As the stated mandate of the Bureau of Land Management is to "sustain the health, diversity, and productivity of the land and resources entrusted to us...based on the principles of multiple use and sustained yield" (BLM), the public is entitled to a comprehensive review of the factors involved. Of primary concern to a comprehensive review of the present situation is an analysis of the impact and costs associated with the provision of federal subsidies to furnish grazing land to private cattle industry interests.

CRS-2 Historically, the federal government has maintained a close and cooperative relationship with the cattle industry. Although that relationship may have fostered a certain amount of economic growth, the long-term costs associated with this use have been inadequately estimated. While the grazing of cattle on public lands accounts for a statistically small portion of the total feed requirement of the industry, it's impact on the ecosystems affected is significant and unquestionably detrimental. Bovine grazing causes manifold insults to sensitive areas. Of these, riparian zones are perhaps the most drastically affected. Eutrophication, streamside erosion, increased sediment loading secondary to cattle crossings, and the destruction of riverine and riparian vegetation by grazing are among the most disturbing of those impacts.

The long-term destruction of riparian habitats to support this non-essential industry practice is shortsighted. What will we tell our children when they ask us why we let entire species of fish such as the Silvery Minnow wink out of existence or what is was like to sit under a big old willow down on the river bank? Will our children accept our justification that a few cattlemen were more important than their birthright? I have spent much of my life in habitats such as those which we now have the opportunity to protect and preserve. I have watched as the banks crumbled into the river grown green with scum because a few ranchers were allowed to range their herds down to the river's edge. As the endemic fish and wildlife disappear from their former home, one is led to an inescapable conclusion. We are poorer as a species for their loss.

CRS-3 From a BLM perspective, the long-term costs associated with restoring sensitive riparian areas would appear to be out of step with the marginal benefits extracted from the historic land use. Furthermore, federally subsidized cattle grazing on public lands, when endangered species are threatened, is contrary to both the letter and the spirit of the Federal Endangered Species Act. Therefore, I urge BLM staff to support ALTERNATIVE 3 of the Draft EIS and

Response to CRS-1:

Because the comment is nonspecific, no response is possible. Thank you for your comment.

Response to CRS-2:

Because the comment is nonspecific, no response is possible. Thank you for your comment.

Response to CRS-3:

The HMP that is an outcome of the NEPA process is in full compliance with the ESA. The USFWS and the BLM have conducted informal and formal consultations related to the alternatives in the DEIS as part of the Section 7 process of the ESA. The HMP (Volume 2 of the FEIS) contains numerous actions that should assist in the recovery of habitat for threatened and endangered species and other species of special concern. Your support for Alternative 3 has been noted; see the response to Misc.1.

voice it's support for removal of cattle from 400 miles of streams and wetlands in New Mexico.

My children and I thank you for the appropriate consideration which we are certain you will give to this vital issue. We look forward to a positive and appropriate resolution to this matter, which will allow our family to continue our special relationship with this land, which does, indeed, belong to us all.

Respectfully,

Charles R. Sands R.N.

Charles R. Sands R.N.

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Dawn G. Meidinger
Counsel
Land & Water Resources

February 10, 2000

Bureau of Land Management
Las Cruces Office
Mimbres HMP/EIS/RMPA Team Leader
1800 Marquess Street
Las Cruces, NM 85005

Dear Team Leader:

On behalf of Phelps Dodge Corporation, I would like to present the following comments on the "Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office-New Mexico" ("DEIS"), BLM/NM/PL-99-016-1040 dated October, 1999. Notice of the DEIS and inviting public comments was published in the Federal Register on October 6, 1999 (64 Fed. Reg. 54351) and amended on January 21, 2000 (65 Fed. Reg. 3474) extending the expiration of the comment period to February 11, 2000.

The DEIS (p. 1-1) states that the DEIS is being prepared as a result of a lawsuit and settlement agreement of that suit that was reached on September 10, 1998. That suit apparently is Forest Guardians v. Chavez et al., No. 96-0693 JP/LCS (D. N.M.). The settlement agreement approved by the Court's Order dated September 10, 1998 requires the BLM (1) to prepare an EIS for one BLM district and three resource areas including the Mimbres Resource Area (within the jurisdiction of the Las Cruces Field Office) to analyze alternative strategies for the management of the riparian and aquatic habitat found within those areas, taking into account competing demands placed on those areas including recreation, livestock grazing and mineral development, and (2) to fence certain southwestern willow flycatcher habitat areas by specified dates within certain allotments in accordance with a Southwestern Willow Flycatcher Management Plan.[1]

DGM-1 None of those allotments in which the Court required fencing around flycatcher habitat areas are in the Las Cruces Field Office jurisdiction and the Draft EIS does not cover those fencing projects.

[1] The unspecified areas to be fenced are within the Cole Creek allotment in the Rio Puerco Resource Area, the Rio Cebolla, Santa Cruz River, Azabache and Pump Canyon allotments in the Rio Puerco Resource Area and the Farmington District; and the Santa Fe River, Las Cieneguilla, San Juan, La Plata and Animus Rivers allotments in the Taos Resource Area and the Farmington District.

Response to DGM-1:

You are correct. The fencing requirements applied only to the Farmington Field Office and not to the Las Cruces Field Office. Thus, those fencing requirements are not addressed in the FEIS.

BLM has identified (p. S-1) and the DEIS evaluates the following three alternative management strategies:

1. Current Management—Continuing to manage riparian areas in accordance with the objectives in the Mimbres Resource Management Plan. This is referred as to "No Action Alternative" and the "Preferred Alternative".

2. Adaptive Management—Assigning the highest priority to implementing those "management practices identified in current BLM management guidance to restore and protect all riparian and aquatic habitats under BLM jurisdiction".

3. Grazing Management—Eliminating grazing in all riparian areas.

The DEIS finds that each alternative is capable of accomplishing the proposed action of "restoring and protecting riparian and aquatic habitats on lands under BLM jurisdiction" and that "[c]urrent management [under Alternative 1] has already restored many of the riparian areas". (p. S-1)

DGM-2 BLM should not adopt Alternative 2 or Alternative 3 for at least two reasons. First, assigning highest priority to restoring and protecting all riparian and aquatic habitats under BLM jurisdiction (Alternative 2) or eliminating all grazing in riparian areas (Alternative 3) has not been shown to be necessary in view of BLM's finding that Alternative 1 would be capable of restoring and protecting riparian and aquatic habitats. Second, the adoption of either of those Alternatives 2 or 3 would be contrary to the mandate of Congress that the public lands shall be managed under principles of multiple use and sustained yield and in accordance with the land use plans developed under FLPMA. 43 U.S.C. §§ 1702(c), 1732(a).

Therefore, for those two reasons, we believe that BLM should select Alternative 1 for the Record of Decision. Phelps Dodge has the following specific comments on Alternative 1:

DGM-3 1. With respect to Alternative 1, a reconciliation should be made between the policy of riparian habitat management as characterized in the DEIS and in the Mimbres RMP. The DEIS characterizes (pp. S-1, 2-1) the management policy as having the objective of "restoring and protecting riparian and aquatic ecosystems in the context with authorizing other land management activities." However, the objective stated in the Mimbres RMP (p. 2-61) is "directed at achieving a healthy and productive ecological condition for public land riparian areas". That latter objective stated in the RMP is more consistent with the multiple use policy of public land management as prescribed by Congress.

DGM-4 2. A probably unintended situation is introduced by the definition of "Riparian Area" (p. G-4). That definition could include areas having surface or subsurface water influence

Response to DGM-2:

The Riparian and Aquatic HMP included in the FEIS was developed on the basis of Alternative 1, Current Management.

Response to DGM-3:

The Riparian and Aquatic HMP included in the FEIS is based on continuation of current management prescribed for riparian areas in the Mimbres RMP (BLM 1993b). The BLM believes that achieving a healthy and productive ecological condition for public land riparian areas will meet the objective to improve and protect riparian habitats. The riparian and aquatic HMP reflects the BLM's intent to promote harmony among people (e.g., ranchers, recreational users) who depend on the public land and its natural resources in accordance with the FLPMA. However, laws such as the ESA require that the BLM take certain actions to protect the environment. These laws are not overridden by the FLPMA.

Response to DGM-4:

Establishment of areas that exhibit riparian characteristics can result from a variety of activities, including mitigation of riparian areas lost to other development, proper development of springs, and effective use of water produced from mining and mineral development operations. The lists of riparian, wetland, and spring-seep areas in the DEIS were not claimed to be exhaustive. On the contrary, as additional riparian, wetland, and spring-seep areas come to the attention of the BLM, they will be assessed for their riparian habitat values and included in the Riparian and Aquatic HMP for Las Cruces.

created unnaturally by mining operations. We also believe that riparian areas in which special management policies may apply should be defined as those presently having been identified or those which may be identified in the future through public notice. We suggest that the first sentence of the definition of "Riparian Area" be revised to read with the underlined words added:

DGM-4 (cont.)

> A unique form of naturally occurring wetland that represents the transition between permanently saturated wetlands and upland areas designated by BLM as of October, 1999, or any riparian areas designated later through notice published in the Federal Register with the opportunity for public comment.

Phelps Dodge appreciates the opportunity to present these comments on the DEIS.

Sincerely,

Dawn G. Meidinger

cc: Ty Bays
Ned Hall

336578

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FOREST GUARDIANS

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RE: Riparian and Aquatic Habitat Management Plan and Draft EIS's

Dear Sirs and Ms. Herrera:

Introduction

I write to provide both general and specific comments on each of the above mentioned plans. In general, I think the plans are an excellent way to inform the general public about the status and condition of riparian habitats on BLM lands in New Mexico. Frankly, I think the BLM and the public would be served quite well if the agency produced a similar document for each BLM field office in the western United States. The documents are accurate, with informative maps and graphs and provide a condensed and easily readable product. I also believe the EIS's provide—better than all the somewhat random individual documents the BLM has produced on the subject—a solid foundation upon which the agency can be held accountable to itself and the general public. Protecting and restoring riparian wetland communities is one of the agency's most essential tasks.

NEPA Concerns

1. The Need For Additional Alternatives

First of all, the EIS's present a clear bias in favor of the BLM's preferred alternative that unnecessarily and inappropiately undermines choosing Alternative 3, which is essentially the no-grazing alternative. As each of the DEIS's candidly admit, "streams that are permanently protected from grazing have the highest probability of successful recovery." Furthermore, each EIS also states "some have suggested that livestock can be used as a 'tool' in riparian enhancement [however] there is no ecological basis to indicate that livestock grazing, under any management strategy, can accelerate riparian recovery more rapid than total exclusion." Despite this admission, the BLM still is choosing to allow livestock grazing simply to accommodate a few livestock permit holders.

JCH-1 Although the BLM claims its goal for its riparian/wetland program is "to restore and protect riparian and associated habitats" that it manages, it is obvious that the selection of Alternative 3 is the only strategy which ensures meeting that goal. One way the BLM undermines selecting Alternative 3 as a credible alternative is to strip it of many of the positive elements that are included in Alternative 2, which aside from the Las Cruces field office, is the BLM's preferred alternative. For example, elements included in Alternative 2 but inexplicable not included in Alternative 3 include: the development of explicit goals for which progress can be measured by a set of specific endpoints; and sampling to "provide quantitative results to support defensible decision-making." If these substantive elements were included in Alternative 3 it would provide each of the decision makers with a legitimate alternative that would allow the BLM to best meet its mandate under the Federal Lands Policy Management Act (FLPMA). We believe the BLM

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Response to JCH-1:

Alternative 3, Grazing Management, was developed in response to the public scoping comments that stated that domestic livestock grazing is an inappropriate use of riparian areas and should not be allowed to occur at any time. The introductory discussion of alternatives in Chapter 2 of the DEIS (BLM 1999) pointed out that each of the alternatives is capable of accomplishing the objectives of protecting and improving riparian habitats under BLM jurisdiction. In addition, other land management activities will continue within the BLM field offices regardless of which alternative is selected for managing riparian areas. These other management activities include applying the guidance provided in BLM *Manual Transmittal Sheet:* 1737–*Riparian-Wetland Area Management* [BLM 1992b] and TRs 1737-3 and 1737-5 through 1737-15 (BLM 1989; 1990; 1992a,c; 1993a,c; 1994a,b; 1996a,b; 1997; 1998), which specifically apply to riparian area management practices. Both Alternatives 1 and 2 allow for the design of allotment-specific strategies that apply to the management of domestic livestock and other activities in conjunction with a priority emphasis on riparian habitat restoration. Alternative 3 simply excludes livestock use regardless of whether it could be accommodated in accordance with riparian management objectives.

The commenter also suggests a new alternative (i.e., the combination of Alternatives 2 and 3). The BLM is responsible for sound resource management. The FLPMA directs the BLM to manage resources for multiple use, and livestock grazing is one of the multiple uses. The new alternative would require additional time and funding to develop and analyze; however, that alternative does not appear to be consistent with the mandates of the FLPMA or with historical land management practices of the BLM. Generally, the BLM does not stop activities but adjusts them so that management objectives can be achieved.

should create an additional alternative, Alternative 4, which combines the best elements of Alternatives 2 and 3.

While each of the DEIS's provides a cursory discussion of the overall importance of watersheds to the functioning and health of riparian ecosystems, each ultimately fails to propose any management for uplands to ensure riparian recovery. This is unacceptable. As the BLM itself admits, riparian communities are inextricably linked to their surrounding uplands. There is a library full of scientific literature supporting the notion that riparian communities can not be managed independent of their watersheds. One of the best literature reviews of this subject is entitled"Improving Southwestern Riparian Areas Through Watershed Management." a US Forest Service General Technical Report. by Larry DeBano and Larry Schmidt.

I will share one brief section from that review which summarizes the need to include watershed management as a scientifically defensible part of any riparian management plan:

> In summary, healthy riparian areas reflect sound watershed conditions. Riparian areas provide the final natural treatment of watershed flows to filter sediments, remove nutrients, control water temperatures, and regulate base and flood flows. These areas must be considered in a watershed context, because all tributary effects accumulate to influence riparian health and stability. Upland watersheds in good condition absorb storm energies, regulate storm flows through the soil mantle, and, as a result, provide stability to the entire watershed. This, in turn, provides sustained flows necessary for supporting healthy riparian ecosystems. In contrast, abused watersheds have developed expanded channel networks in response to increased surface flows. These networks maintain undesirable flashy runoff and available sediment.

JCH-2

Despite the clear interdependence of riparian health on watershed condition, the riparian management plans and DEIS's have proposed nothing with respect to the watersheds surrounding BLM managed riparian areas. While many riparian areas the agency manages "are often only a small part of a larger area under other jurisdictions, over which the BLM has not management responsibility or authority," that does not excuse the BLM's neglect with respect to this critical issue. As the Farmington DEIS states: " BLM riparian areas are affected by the activities and quality of the watershed, and the health of the riparian area would contribute to the present conditions of the watershed, depending on the size, structure and location of the riparian area." Despite this clear admission nowhere is there a discussion of what watershed actions the BLM plans to take to ensure and expedite recovery of the riparian wetland ecosystems it does manage."

Furthermore, there are numerous watersheds such as the upper Rio Puerco, where the agency does, in fact, manage a large part of the surrounding watershed. As an example, as long as intermittent, ephemeral and dry washes in the Rio Puerco basin continue to be degraded and unstable, the proposed management actions in the Albuquerque Field Office Plan will not result in the full recovery of those riparian communities. The same is true to a lesser extent with numerous other watersheds/riparian communities where the BLM owns a significant portion land surrounding the riparian community.

We believe the BLM has a clear obligation to present an additional alternative, which addresses the need for an integrated approach to watershed/riparian management in order to manage exclusively for healthy riparian communities. The BLM's rhetoric in all of the agency riparian manuals clearly identifies the connection between watershed and riparian communities so silence on this matter in this matter is in an unacceptable circumstance.

2. Riparian Communities Excluded

JCH-3

In order for the public and the decision-maker to be accurately, the BLM must rely on the best available information. Each of the DEIS's inexplicably and unjustifiably has excluded numerous riparian communities. We find this very disconcerting, especially in light of the limited number of riparian/wetland communities that the agency manages.

Response to JCH-2:

While there is no question that the upland portions of watersheds relate to the condition and function of the riparian elements of those watersheds, the scope of the FEIS is on the riparian areas under BLM jurisdiction. Moreover, management strategies that are subsequently designed and implemented for the uplands will emphasize riparian habitat protection.

Response to JCH-3:

As additional wetland areas, including the ones mentioned in the comment, come to the attention of the BLM, they will be assessed for their riparian habitat values and, as appropriate, will be incorporated into the HMP. The east side of the Black Range and the west side of the Sacramento Mountains are outside the scope of the FEIS, which is limited to the former Mimbres Resource Area and the riparian areas under BLM jurisdiction in the Mimbres RMP (BLM 1993b). The oxbow along the west bank of the Rio Grande, 10 miles north of Las Cruces, was examined and determined not to possess riparian characteristics or potential.

The number, scope and type of riparian/wetland communities excluded from the Albuquerque Field Office is the greatest. This could be due to the fact that we know the riparian communities best in this portion of the state. The following is a list of riparian communities not addressed in the EIS:

- Numerous playa lakes within and adjacent to the El Malpais National Conservation Area.
- Las Huertas Creek near the Santa Ana Pueblo and the community of Placitas.
- Various stretches along the main stem of the Rio Puerco, especially above and below the confluence with the Arroyo Chico.
- Peralta Canyon near Tent Rocks.
- Seccion Arroyo above the confluence with the Arroyo Chico.
- Rio Senorito above the 4 currently excluded areas and a perennial tributary.
- An intermittent tributary to the Rio Senorito.

In addition to the specific areas identified above we are stunned that the BLM chose to exclude numerous riparian areas that are in between riparian exclosures. These areas may be horribly overgrazed as I can attest after a recent visit to Senorito Creek, but they are nevertheless riparian habitats. I do not understand how the agency could exclude these areas from its list of riparian habitats.

Furthermore, after seeing places like Senorito Creek and a tributary stream to it excluded from the list, I simply wonder whether there are other similar areas the BLM has excluded. There is no doubt the BLM is aware of many of these riparian areas. However, it appears that identifying them in these riparian management plans would mean the BLM would be held accountable for their future management. I urge you to include these any and all other riparian areas in the next version of these plans.

JCH-3 (cont.)

Las Cruces Field Office

The arbitrarily defined EIS boundary identified by the Field Office excludes numerous riparian communities on the east side of the Black Range and the west side of the Sacramento Mountains. While the BLM may believe that the scope of the DEIS's is to mirror the FWS biological opinions, we are not aware of this limitation. It would be a far more valuable document to the public and the agency itself if all riparian areas within the Field Office were included. Notwithstanding the above concerns, we are aware of 1 riparian community not addressed in the EIS.

- Old oxbow wetlands along the west bank of the Rio Grande 10 miles north of Las Cruces.

Taos Field Office

The Taos Field Office appears to have similarly excluded inclusion of riparian habitats along the Rio Grande and Rio Chama. We are aware of no justification or foundation for doing so. As stated above, we believe the document would be far more valuable if it is more inclusive.

Farmington Field Office

Unfortunately, we are unfamiliar with much of the public lands managed by the Farmington field office and thus are unable to offer constructive input about the adequacy and scope of the identification of riparian communities. We hope your list is inclusive.

Federal Lands Policy Management Act Concerns

The BLM's over-riding mandate with respect to any and all activities that it undertakes is to ensure that the agency pursues land management activities in a "combination [of uses] that will best meet the present and future needs of the American people" with a consideration to " the relative value of the resources." Notwithstanding the fact that each of the DEIS's clearly states this mandate (sec 2.4), there is absolutely no

JCH-4

Response to JCH-4:

The BLM agrees with your comment that the economic benefits of properly functioning riparian habitats are significant. Those benefits are addressed in the HMP (Volume 2 of the FEIS).

discussion of the relative values of the riparian resources. For this reason, we believe the BLM's draft riparian management plans violate the substantive mandate of FLPMA.

There is no question that riparian communities are one of the most, if not the most, valuable assets the agency manages. The DEIS's each recognize the benefits of naturally functioning riparian ecosystems, not only for fish and wildlife, but also for water quality, flood control, recreation and other human-oriented benefits that are unrelated to livestock production. With that in mind, it is inexcusable for the BLM not to consider which of the proposed alternatives in the DEIS's best meets the needs of the American people considering the relative value of the resources.

JCH-4 (cont.)

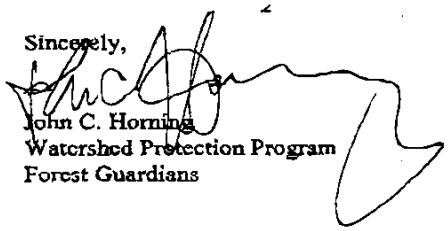
The DEIS's do an adequate job of addressing the small economic impact of pursuing the no-grazing alternative as it would adversely affect livestock production, but utterly fail to address the economic benefits of the no-grazing alternative. For example, the Albuquerque DEIS states: "because of the limited amount of land made inaccessible, couple with continued access to vast amounts of other public lands for grazing, this impact is expected to negligible." (p. 4-39) In the case of the Farmington field office, the DEIS clearly shows that even when including the entirety of allotments that have any riparian habitat, a no-grazing alternative would effect a mere "840 head of livestock." (p.3-12) Despite these admissions of the relatively small adverse effects to livestock production of implementing the no-grazing alternative or for that matter the adaptive management alternative, there is no discussion of the economic benefits of a restored stream in terms of improved water quality, reduced flood damage, and greater fish and wildlife. The DEIS's are each fatally flawed without a more thorough discussion and analysis of the economic benefits of the no-grazing alternatives. Only with this information in hand, can the American public and the decision-maker make an informed decision about which alternative best meets the needs of the American people.

Conclusion

JCH-5

After reviewing each of the DEIS's it is clear that the documents are just that—drafts. We sincerely hope that you go back to the drawing board to make the plans more accurate and more informative. Finally, we also believe that Alternative 3—the no-grazing alternative is the one that best fits the needs of New Mexico residents and all Americans. Streams and wetlands are precious resources that should be managed to protect publicly valued resources such as clean water, fish and wildlife and recreational and aesthetic values. Thank you for your consideration. If you have any questions about these comments, please do not hesitate to contact me.

Sincerely,



John C. Horning
Watershed Protection Program
Forest Guardians

Response to JCH-5:

The BLM appreciates your comments and the others received on the DEIS and has incorporated them into the FEIS and the HMP. The BLM believes that the selection of Alternative 1 will result not only in protection, but also in significant improvement, of the riparian habitats included in the scope of this document.

1.4 REFERENCES

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USFWS: see U.S. Fish and Wildlife Service.

2 DESCRIPTION OF THE HABITAT MANAGEMENT PLAN

The purpose of the HMP presented in Volume 2 is to provide guidance for the restoration and protection of riparian and aquatic habitats under the jurisdiction of the BLM in the Las Cruces Field Office in New Mexico. The management goals are to maintain, restore, improve, protect, and expand riparian areas so that they are in PFC for their productivity, biological diversity, and sustainability. These goals will be accomplished when all designated riparian areas are in PFC, and all threatened and endangered species habitat requirements have been established.

Although the BLM has been actively managing riparian habitats in pursuit of this goal for over a decade, the need to place special emphasis on these important resources was triggered by legal action against the BLM. The lawsuit was settled when the BLM agreed to complete an EIS for Riparian and Aquatic Habitat Management in the Las Cruces Field Office, including a HMP. The HMP is not specifically intended to be implemented under the authority of the Sikes Act. In addition, the management strategies provided in the HMP would apply to subsequently identified riparian, wetland, and spring/seep areas under BLM jurisdiction in the Las Cruces Field Office.

The development of a HMP on the basis of Alternative 1, Current Management, allows the Las Cruces Field Office to implement a set of management actions specific to each riparian area following a common management strategy, the primary goals of which are the restoration and protection of riparian and aquatic areas.

APPENDIX A:

ADDENDUM TO THE LAS CRUCES FIELD OFFICE DRAFT EIS

APPENDIX A:

ADDENDUM TO THE LAS CRUCES FIELD OFFICE DRAFT EIS

This addendum provides corrections to the text and figures of the *Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico* (DEIS). It also provides supplemental information to the DEIS.

Page S-1:

The third paragraph, second sentence, should read "For example, each alternative applies to a management strategy for the aggregate of all riparian areas in the four-county area mentioned above (formerly known as the Mimbres Resource Area) that is under BLM Las Cruces Field Office jurisdiction."

Page S-3:

Table S.1: The potential impacts to upland vegetation under Alternative 1 - Current Management should read "Current upland management programs would be maintained."

Page S-5:

Table S.1: The potential impacts to livestock grazing allotments under Alternative 1 - Current Management, the last sentence should read "Grazing allotments may be changed as determined by riparian management programs."

Page S-6:

Table S.1: The potential impacts to Cultural and Paleontological Resources under Alternative 1 - Current Management should read "Reduced erosion rates should protect resources."

Page S-7:

The first paragraph, second sentence, criteria 2, should read "protection of wildlife and special status species."

Page 1-2:

The following text should be added to the end of the second paragraph: "Any future riparian areas that are identified or developed within the Las Cruces Field Office area will be managed in accordance with the Riparian and Aquatic HMP in the Final EIS."

Page 1-7:

Table 1.1: Bear Creek length should be ≧1.25 miles; area should be ≧20 acres. Current Use for Bear Creek should be identified as "Grazing."

Table 1.1: For all four segments of Gila Lower Box, riparian area type should be identified as Riverine; Current Use includes recreation, wildlife viewing, camping, picnicking, hunting, fishing, kayaking, and swimming, in addition to uses listed; Threatened and Endangered Species include occupation by loach minnow and spikedace, in addition to those listed.

Table 1.1: Gila Lower Box, Downstream of the Box, Threatened and Endangered Species designation should include Long-term potential SWF.

Table 1.1: Blue Creek Segment 2 is incorrectly identified as occupied by south-western willow flycatcher. The Threatened and

Endangered Species designation should read "Potential SWF."

Page 1-8:

Table 1.1: Cowboy Spring, ACEC, Cowboy Spring – length, area, type, and current use should be identified as "Unknown"; condition should be identified as "NR"; the site-specific management actions should read "Cowboy Spring has been developed with a windmill, and no open spring exists."

Table 1.1: Florida Mountains ACEC, Byer Spring, site-specific management actions should read "3 livestock tanks (dewatering spring)."

Page 1-9:

Table 1.1: Florida Mountains ACEC, Burnt Spring, site-specific management actions should read "Concrete pool, tank, and 2 troughs (dewatering spring)."

Table 1.1: Organ/Franklin Mountains ACEC, Cox Development 1, current use is incorrectly identified as heavy grazing. The current use designation should read "Unknown."

Page 1-10:

Table 1.1: Organ/Franklin Mountains ACEC, Middle Spring, current use is incorrectly identified as grazing allowed (none detected). The current use designation should read "No grazing."

Table 1.1: Organ/Franklin Mountains ACEC, LaPointe Spring, current use is incorrectly identified as grazing. The current use designation should read "Wildlife habitat."

Table 1.1: Placitas Arroyo, North Spring, site-specific management actions should include "removal of saltcedar; revegetation of cottonwood and willow," in addition to those listed.

Page 1-11:

Table 1.1: Uvas Mountains, Hackler Spring, site-specific management actions should read "Pipeline and trough (dewatering spring 2/98)."

Table 1.1: Little Hatchets, Livermore Spring, site-specific management actions should read "Pipeline and trough (dewatering spring 11/97)."

Table 1.1: Near Gila Lower Box, Nichols Spring, site-specific management actions should read "exclosure (approximately 3 acres)."

Page 1-12:

Table 1.1: Isaack Lake, the threatened and endangered species designation should be "Aplomado falcon."

Table 1.1: footnote "b" should include "PFC = Proper Functioning Condition."

Page 2-2:

Fifth full paragraph, first sentence should read "Suppression of fires in riparian habitats will have a high priority unless fire is a natural part of the ecosystems."

Page 2-6:

Section 2.1.1: The last bullet is incorrect. It should read "The riparian areas are to be totally excluded from grazing, with grazing to be at the discretion of the BLM."

Page 3-7:

Table 3.2: Footnotes "a" through "f" should be replaced with the following footnote

"Notes: TMDL Segment = river miles for which total maximum daily load (TMDL) analysis must be completed; TMDL Schedule = the mandatory year of completion by the New Mexico Environment Department (NMED) or the U.S. Environmental Protection Agency (EPA) of a TMDL document describing the causes (water quality parameters) and sources (discharges and land use activities) of non-support (causes of non-support = water quality parameters for which the water quality of TMDL segments does not support their designated uses); NPDES Permits = discharge permits issued under the National Pollution Discharge Elimination System (NPDES); Water Supply Systems = regulated drinking water supply systems in the watershed that depend on surface water; COE Sec. 404 Permits = the number of actions (information provided, public meetings, field inspections, and permits issued by the U.S. Army Corps of Engineers [COE]) regarding Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act; USGS Stations = U.S. Geological Survey (USGS) stream gauging stations in the hydrologic unit."

Page 3-14:

Figure 3.2: The Bear Creek ACEC boundary is incorrect. The ACEC should not include the area of private land (white) on the western side.

Page 4-20:

Third full paragraph, second sentence, Soil Conservation Service should be changed to Natural Resource Conservation Service.

Page 5-1:

Section 5.3: New Mexico Environment Department should be added to the listing under the New Mexico State Government.

Section 5.3: New Mexico Soil Conservation Districts should be added to the listing under New Mexico State Government.

Page 5-2:

Section 5.3: New Mexico Soil Conservation Districts should be deleted from the listing under Nongovernment Organizations.

Page R-3:

The third entry in column two should read "Trimble, S.W., ..."

Page B-21:

Section B.2.12: First paragraph, second sentence should read "In New Mexico, it is known only from the Animas Mountains and very locally in the Peloncillo Mountains of the Coronado National Forest."

Page B-22:

Section B.2.12: The beginning of the last paragraph should read "The designated riparian areas considered in the EIS do not contain habitat for the New Mexican ridge-nosed rattlesnake. The riparian areas are below 6,200 feet in elevation. The BLM-administered riparian location closest to an area that could harbor the New Mexican ridge-nosed rattlesnake is Owl Canyon..."

Page B-26:

Section B.2.17: Third full paragraph, the first sentence should be deleted. The paragraph should read "Habitat surveys of BLM-administered lands within the Las Cruces Field Office area were conducted in 1992 and 1993 to evaluate the availability of potential nesting and foraging areas for the Mexican spotted owl (SWCA 1993). No Mexican spotted owls were observed during the surveys and it was found

that canopy cover was too low (<40%) and vegetation was too short (≤6 ft) to be suitable for the Mexican spotted owl. The presence of known Mexican spotted owl predators such as the great horned owl and red-tailed hawk would also preclude the use of the cliffs overlooking BLM-administered riparian areas for foraging or nesting.

Page B-29:

The third and fourth sentences under Effect Determination should read "While most of the potential southwestern willow flycatcher habitat on BLM-administered riparian areas within the EIS area is currently in PFC, the riparian area associated with Segment 2 of Blue Creek is in FAR-UP condition. Consequently, there could be a small increase (approximately 14 acres) in the amount of habitat available to the southwestern willow flycatcher under the Adaptive Management and Grazing Management Alternatives for completing the proposed action."

APPENDIX B:

BIOLOGICAL EVALUATION FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT

APPENDIX B:

BIOLOGICAL EVALUATION FOR RIPARIAN AND AQUATIC HABITAT MANAGEMENT

B.1 INTRODUCTION

B.1.1 Background

This biological evaluation has been prepared to analyze the potential impacts on federally listed species and other special concern species from the preferred alternative identified in the main text of this Final Environmental Impact Statement (FEIS) for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico. This FEIS addresses the U.S. Bureau of Land Management's (BLM's) Current Management Alternative for riparian and aquatic habitats on public lands in the four-county (Doña Ana, Grant, Hidalgo, and Luna Counties) portion of the Las Cruces Field Office formerly known as the BLM's Mimbres Resource Area.

Twenty-five federally listed, proposed, and candidate species are known or have the potential to occur within Doña Ana, Grant, Hidalgo, and Luna Counties. However, because of land use patterns and habitat preferences, many of these species are unlikely to occur on lands that would be affected by the alternative riparian and aquatic habitat management strategies considered in this FEIS. The potential for the presence of these species on lands that could be affected by the preferred alternative and any anticipated impacts on these species and their habitats due to the preferred alternative are examined in this biological evaluation.

B.1.2 Project Description and Alternatives

The Draft EIS (DEIS) (BLM 1999b) assessed the potential impacts of three alternative management strategies developed by the BLM for protecting and restoring riparian and aquatic habitats under the jurisdiction of the Las Cruces Field Office. For over a decade, the BLM has emphasized the protection and restoration of streamside riparian areas for the benefit of threatened and endangered species as well as for other riparian-dependent species. Each alternative is capable of accomplishing the proposed action of protecting and restoring riparian and aquatic habitats. The alternatives presented in the DEIS were as follows:

- ***Alternative 1: Current Management (No Action and Preferred Alternative)*** – Under this alternative, riparian habitats in the four-county portion of the Las Cruces Field Office formerly known as the Mimbres Resource Area would continue to be managed as described in the Mimbres RMP (BLM 1993). Under the current RMP, the riparian program is based on the formal BLM riparian policy adopted in 1987, which is directed at achieving a healthy and productive ecological condition for public land riparian areas. To accomplish this, activities associated with grazing, mining, and recreation are managed to control disturbance to riparian areas.

- ***Alternative 2: Adaptive Management*** – Under this alternative, the BLM would assign highest priority to implementing those management practices identified in current BLM management guidance to restore and protect all riparian habitats under BLM jurisdiction within the FEIS area. This alternative would require a specific focus on riparian management, and decisions regarding other land management activities would be constrained to limit or prevent any adverse impacts on riparian areas.

- ***Alternative 3: Grazing Management*** – Under this alternative, the Las Cruces Field Office would eliminate grazing by domestic livestock in riparian habitats under BLM jurisdiction within the FEIS area by modifying grazing allotments to exclude such habitats. For each allotment affected, this action would include changing the description of the allotment, installing fences or other physical barriers to prevent livestock from entering riparian areas, and, if appropriate, adjusting the number of livestock permitted to use the modified allotment.

Information presented in this FEIS underscores the fact that riparian habitats are critical components of the ecosystem; however, they are very small areas in relation to the large amount of land administered by the BLM. In addition, segments of riparian areas under BLM jurisdiction are often only small parts of larger areas under jurisdictions over which the BLM has no management responsibility or authority. This observation is central to gaining an appreciation for the important, but limited, role that the BLM plays in improving and protecting riparian habitats in New Mexico.

B.1.3 Species of Concern

The federally listed and proposed species with a potential to occur within the four-county area considered in this FEIS are identified in Table B.1 [U.S. Fish and Wildlife Service (USFWS) 1999]. A number of these species either do not occur within riparian areas or on lands administered by the Las Cruces Field Office or are considered accidental migrants within Doña Ana, Grant, Hidalgo, and Luna Counties and would, therefore, not be affected by the proposed management actions for the BLM-administered riparian areas considered in this FEIS. These species include Sneed pincushion cactus (*Coryphantha sneedii* var. *sneedii*), brown pelican (*Pelecanus occidentalis*), black-footed ferret (*Mustela nigripes*), northern aplomado falcon (*Falco femoralis septentrionalis*), Mexican spotted owl *(Strix occidentalis lucida),* Gila springsnail (*Pyrgulopsis gilae*), and New Mexico springsnail (*Pyrgulopsis thermalis*).

B.2 SPECIES EVALUATIONS

The determinations of effect for all of the federally listed species are presented in Table B.2. Additional details pertaining to descriptions of the affected environment, species biology, current conditions, critical habitat, and analysis of the effects of the proposed action for each of these species are presented in the following sections. Unless otherwise indicated, much of the information presented on the life history, distribution, and habitat of the evaluated species was derived from the *Inventory of Rare and Endangered Plants of New Mexico* (Sivinski and Lightfoot 1995) and from the *Biota Information System of New Mexico (BISON-M)* (New Mexico Department of Game and Fish [NMDG&F] 1997).

TABLE B.1 Federally Listed Plant and Animal Species within the Four-County FEIS Area

Common Name	Scientific Name	Federal Status[a]	Counties of Occurrence[b]	Habitat Description
Sneed pincushion cactus	*Coryphantha sneedii* var. *sneedii*	E	D	Limestone hills on south- and west-facing slopes with sotol, creosotebush, sumac, and Dalea between 4,300 and 5,400 feet.
Gila pyrg	*Pyrgulopsis gilae*	C	G	Thermal springs along the Gila River, a 4.8-km stretch of the lower East Fork Gila River, and a 2.4-km stretch of the Gila River below the confluence of the East and West Forks.
New Mexico hotspring pyrg	*Pyrgulopsis thermalis*	C	G	Thermal springs where water temperatures are between 95Eand 100EF.
Beautiful shiner	*Cyprinella formosa*	T	G, L	Mimbres River; considered extirpated.
Chihuahua chub	*Gila nigrescens*	T	G	Reaches of the Mimbres River with deep pools bordered by undercut banks or containing downed trees and other cover; young most likely occupy quiet backwaters.
Gila chub	*Gila intermedia*	C	G	Cienéga habitats in the Gila River drainage.
Gila topminnow	*Poeciliopsis occidentalis*	E	G	Confined to the Gila River basin; typically inhabits areas containing emergent or aquatic vegetation in springs and streams below 1,500 m.
Gila trout	*Oncorhynchus gilae*	E	G	Small, cool, clear mountain streams with fairly complete riparian canopies; deep pools are important for the survival of the fish during droughts.
Loach minnow	*Rhinichthys cobitis*	T	G, H	Riffle areas with cobble bottoms and moderate to rapid water velocities.
Spikedace	*Meda fulgida*	T	G, H	Cobble-bottomed stream margins in winter and areas with sand and gravel in the main channel.
Chiricahua leopard frog	*Rana chiricahuensis*	C	G, H, L	A variety of permanent aquatic habitats, including montane springs, streams, ponds, lakes, marshes, stock ponds, and plunge pools of canyon streams at elevations of 1,000 to 2,600 m.
New Mexican ridge-nosed rattlesnake	*Crotalus willardi obscurus*	T w/CH	H	Canyon bottoms in montane areas.
Bald eagle	*Haliaeetus leucocephalus*	T	D, G, H, L	Habitat associated with water, but also some dry land areas.
Brown pelican	*Pelecanus occidentalis*	E	G	Large lakes or along major rivers.
Interior least tern	*Sterna antillarum*	E	D	Nests on the ground at sites that are sandy and relatively free of vegetation, including alkali flats, sandbars, beaches, and spits in coastal areas.

APPENDIX B

TABLE B.1 (Cont.)

Common Name	Scientific Name	Federal Status[a]	Counties of Occurrence[b]	Habitat Description
Mexican spotted owl	*Strix occidentalis lucida*	T	D, G, H	Mixed conifer and old growth forests; also steep, narrow canyons with cliffs and a perennial water source.
Mountain plover	*Charadrius montanus*	C	H, L	Requires shortgrass prairie or other disturbed ground, such as ephemeral playas, for breeding; tends to utilize shortgrass areas with scattered clumps of tall grasses, cow manure, rocks, and a variety of cacti and shrubs.
Northern aplomado falcon	*Falco femoralis septentrionalis*	E	D, G, H, L	Typically associated with yucca grasslands and adjacent shrubby habitats at lower elevations.
Southwestern willow flycatcher	*Empidonax traillii extimus*	E	D, G, H, L	Riparian habitats along rivers, streams, or other wetlands, where dense growths of willows, Baccharis, arrowweed, tamarisk, or other plants are present, often with a scattered overstory of cottonwood.
Whooping crane	*Grus americana*	XN	D, G, L	Agricultural fields and valley pastures for feeding; roosts near water.
Black-footed ferret	*Mustela nigripes*	E	D, G, H, L	Closely associated with prairie dog communities in mixed shrub habitat type.
Black-tailed prairie dog	*Cynomys ludovicianus*	C	H	Grassland plains and other upland areas that have soils that can be easily excavated.
Jaguar	*Panthera onca*	E	H	High affinity to lowland wet habitats, typically swampy savannas or tropical rain forests; may also occur in upland habitats.
Lesser long-nosed bat	*Leptonycteris curasoae yerbabuenae*	E	H	Canyons and nearby areas in desert grassland and shrublands, including lower edges of oak woodlands.
Mexican gray wolf	*Canis lupus baileyi*	E	G, H, L	Wide variety of habitats, but often uses runways or hunting beats that follow stream beds, washes, old game trails, and old roads in open country.
Mexican long-nosed bat	*Leptonycteris nivalis*	E	H	Upper desert scrub/pine/oak woodlands in or near mountainous areas.

[a] E = endangered; C = candidate for listing; T = threatened; T w/CH = threatened with designated critical habitat; XN = experimental nonessential.

[b] D = Doña Ana; G = Grant County; H = Hidalgo County; L = Luna County.

Source: USFWS (1999); NMDG&F (1997).

TABLE B.2 Determination of Effect for the Federally Listed Species within the FEIS Area

Common Name (*Scientific Name*)	Federal Status[a]	Alternative 1: Current Management[b]	Alternative 2: Adaptive Management	Alternative 3: Grazing Management
Sneed pincushion cactus (*Coryphantha sneedii* var. *sneedii*)	E	No effect	No effect	No effect
Gila pyrg (*Pyrgulopsis gilae*)	C	No effect	No effect	No effect
New Mexico hotspring pyrg (*Pyrgulopsis thermalis*)	C	No effect	No effect	No effect
Beautiful shiner (*Cyprinella formosa*)	T	No effect	No effect	No effect
Chihuahua chub (*Gila nigrescens*)	T	No effect	No effect	No effect
Gila chub (*Gila intermedia*)	C	No effect	No effect	No effect
Gila topminnow (*Poeciliopsis occidentalis*)	E	No effect	No effect	No effect
Gila trout (*Oncorhynchus gilae*)	E	No effect	No effect	No effect
Loach minnow (*Rhinichthys cobitis*)	T	Not likely to adversely affect	Not likely to adversely affect	Not likely to adversely affect
Spikedace (*Meda fulgida*)	T	Not likely to adversely affect	Not likely to adversely affect	Not likely to adversely affect
Chiricahua leopard frog (*Rana chiricahuensis*)	C	Not likely to adversely affect	Not likely to adversely affect	Not likely to adversely affect
New Mexican ridge-nosed rattlesnake (*Crotalus willardi obscurus*)	T w/CH	No effect	No effect	No effect
Bald eagle (*Haliaeetus leucocephalus*)	T	Not likely to adversely affect	Not likely to adversely affect	Not likely to adversely affect
Brown pelican (*Pelecanus occidentalis*)	E	No effect	No effect	No effect
Interior least tern (*Sterna antillarum*)	E	No effect	No effect	No effect
Mexican spotted owl (*Strix occidentalis lucida*)	T	No effect	No effect	No effect
Mountain plover (*Charadrius montanus*)	C	No effect	No effect	No effect
Northern Aplomado falcon (Falco femoralis septentrionalis)	E	No effect	No effect	No effect

TABLE B.2 (Cont.)

Common Name (*Scientific Name*)	Federal Status[a]	Alternative 1: Current Management[b]	Alternative 2: Adaptive Management	Alternative 3: Grazing Management
Southwestern willow flycatcher (*Empidonax traillii extimus*)	E	Not likely to adversely affect	Not likely to adversely affect	Not likely to adversely affect
Whooping crane (*Grus americana*)	XN	No effect	No effect	No effect
Black-footed ferret (*Mustela nigripes*)	E	No effect	No effect	No effect
Black-tailed prairie dog (*Cynomys ludovicianus*)	C	No effect	No effect	No effect
Jaguar (*Panthera onca*)	E	Not likely to adversely affect	Not likely to adversely affect	Not likely to adversely affect
Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*)	E	No effect	No effect	No effect
Mexican gray wolf (*Canis lupus baileyi*)	E	Not likely to adversely affect	Not likely to adversely affect	Not likely to adversely affect
Mexican long-nosed bat (*Leptonycteris nivalis*)	E	No effect	No effect	No effect

[a] C = candidate for listing; E = endangered; T = threatened; T w/CH = threatened with designated critical habitat; XN = experimental nonessential.

[b] Alternative 1 is the No Action Alternative and the preferred alternative.

B.2.1 Sneed Pincushion Cactus (*Coryphantha sneedii* var. *sneedii*)

Distribution and Ecology: The Sneed pincushion cactus was listed as endangered on November 7, 1979. It is a small cactus that grows in grasslands and shrub lands, typically on the south- and west-facing slopes of limestone hills at elevations between 4,300 and 5,400 feet. Although this species is known to occur in Doña Ana County, it does not occur in riparian areas.

No critical habitat has been designated for this species.

Effects Determination: Because the Sneed pincushion cactus does not occur in riparian areas, the BLM has determined that the proposed management action would have *"No Effect"* on this species.

B.2.2 Gila Pyrg (= Gila Springsnail) (*Pyrgulopsis gilae*)

Distribution and Ecology: The Gila pyrg, also known as the Gila springsnail, is an aquatic, gilled snail that is endemic to southwestern New Mexico (Taylor 1987). The Gila pyrg typically occurs in warm springs in mud, debris, and vegetation, rather than on rock vertical faces. Typical habitat of the Gila pyrg is a rivulet about 1-meter wide that is grown up with watercress, where individual pyrgs probably feed on algae and other organic material. The species has been reported only from Grant County, where it was associated with a series of

thermal springs along a 2.5-mile portion of the lower East Fork of the Gila River and on the mainstem Gila River approximately 4 miles downstream of the confluence of the East and West Forks. It has also been observed along Beaver Creek in the Mimbres District of Gila National Forest and was collected at a warm spring in the Black Range District of Gila National Forest. The Gila pyrg is not believed to occur on BLM-administered lands in the FEIS area.

No critical habitat has been designated for this species.

Effects Determination: The unique habitat requirements of the Gila pyrg are not met within the riparian areas that are the subject of the proposed management action, and the Gila pyrg does not occur on BLM-administered riparian areas. Consequently, the BLM has determined that the proposed management action would have *"No Effect"*on the Gila pyrg.

B.2.3 New Mexico Hotspring Pyrg (= New Mexico Springsnail) (*Pyrgulopsis thermalis*)

Distribution and Ecology: The New Mexico hotspring pyrg, also known as the New Mexico springsnail, is endemic to southwestern New Mexico, where it is restricted to a series of thermal springs along the Gila River in Grant County — four springs along a 3-mile portion of the lower East Fork and a fifth on the main stem about 1.5 miles below the confluence of the East and West Forks. These sites are the key habitat areas for this species in the state and overall. The species is currently considered as a candidate species for listing as threatened.

The New Mexico springsnail is an aquatic, gilled snail that is unique in its genus for its occurrence in a habitat of thermal springs where temperatures are up to 118EF at the point of issuance. Waters inhabited by the snail are as warm as 100EF, but the species is more common where temperatures are 91–95EF. The major substrate occupied by these snails consists of steep, or even vertical, rock that is covered with thin sheets of water. They also inhabit minor spring flows on algal film and crusts of lime-depositing algae. The species possibly also occurs in dense grasses and sedges bordering the springs.

No critical habitat has been designated for this species.

Effects Determination: The unique habitat requirements of the New Mexico springsnail are not met within the riparian areas that are the subject of the proposed management action, and this species does not occur on BLM-administered riparian areas. Consequently, the BLM has determined that the proposed management action would have *"No Effect"* on the New Mexico springsnail.

B.2.4 Beautiful Shiner (*Cyprinella formosa*)

Distribution and Ecology: The beautiful shiner is a small fish in the minnow family (Cyprinidae). This species has been extirpated from the state, where it formerly occurred in the Mimbres River drainage of Luna County. The most likely cause for the extirpation of this species from New Mexico was the ephemeral nature of stream flows within the basin, which resulted from drought and the diversion of water from the Mimbres River for agriculture. The beautiful shiner still occurs in the Guzmán Basin in Chihuahua, Mexico, where it is locally common in some streams (Propst 1999).

No critical habitat has been designated for this species in New Mexico.

Effects Determination: Because no critical habitat or individuals of the beautiful shiner occur within the riparian areas that are the subject of the proposed management action, the BLM has determined that the proposed management action would have *"No Effect"* on this species.

B.2.5 Chihuahua Chub (*Gila nigrescens*)

Distribution and Ecology: The Chihuahua chub is a fish in the family Cyprinidae that was federally listed as threatened in 1983. The Chihuahua chub is primarily a Mexican species that occurs in the United States only in the Mimbres Basin of New Mexico. The Chihuahua chub probably previously occupied all warm water reaches of the Mimbres River drainage, but it now occurs regularly only in Grant County in Moreno Spring, and it occurs irregularly in a 9-mile portion of the Mimbres River from the confluence of Allie Canyon to south of Mimbres. In the Mimbres River, the Chihuahua chub typically occurs in reaches with deep pools bordered by undercut banks or containing downed trees and other cover.

No critical habitat has been designated for this species.

Effects Determination: None of the designated BLM-administered riparian areas considered in this FEIS occur along the Mimbres River. Consequently, the BLM has determined that the proposed management actions would have *"No Effect"* on the Chihuahua chub.

B.2.6 Gila Chub (*Gila intermedia*)

Distribution and Ecology: The Gila chub is a moderate-sized fish that typically attains a length of about 6 inches. Historically, the Gila Chub occurred in cienéga[1] habitats in the Gila River drainage in southwestern New Mexico. However, channelization and draining of such habitats, together with introduction of nonnative fish species, may have resulted in extirpation of the Gila chub in New Mexico; there have been no reliable reports of this species in New Mexico for at least 50 years (Propst 1999). This species is only a candidate for listing (USFWS 1999). If the Gila chub persists in New Mexico, it would most likely be found in Mule Creek (a tributary of the San Francisco River) and Turkey Creek (a tributary of the Gila River) (Propst 1999).

No critical habitat has been designated for this species in New Mexico.

Effects Determination: If the Gila chub had not been extirpated in New Mexico, it would most likely be found in Mule Creek or Turkey Creek. Because none of the designated BLM-administered riparian areas considered in this FEIS occur along these streams and because the BLM-administered riparian areas are not associated with cienéga habitats, the BLM has determined that the proposed management actions would have *"No Effect"* on the Gila chub.

B.2.7 Gila Topminnow (*Poeciliopsis occidentalis occidentalis*)

Distribution and Ecology: The Gila topminnow is a small (1 to 2 inches long), somewhat elongate fish with a flat head and a terminal mouth that is turned upward. Its preferred habitat is protected stream shorelines with low water velocity, shallow depths, warm water temperatures (typically above 68EF), and an abundance of aquatic vascular plants. The

[1] A cienéga is a swamp formed by water rising to the surface at a fault.

Gila topminnow was federally listed as endangered in 1967 and was listed as a threatened species by the State of New Mexico in 1990. The only documented natural occurrence of the Gila topminnow in New Mexico was in a series of warm springs (Frisco Hot Springs) located along the San Francisco River near Pleasanton, New Mexico. The Gila topminnow was extirpated from that area in the early 1960s because of the elimination of its habitat as a consequence of flooding or severe drought (Propst 1999).

No critical habitat has been designated for this species.

Effects Determination: Because none of the designated BLM-administered riparian areas considered for the proposed action occur along the San Francisco River, which historically supported the Gila topminnow in New Mexico, the BLM has determined that the proposed management actions would have *"No Effect"* on this species.

B.2.8 Gila Trout (*Oncorhynchus gilae*)

Distribution and Ecology: The Gila trout is a moderate-sized salmonid that typically attains lengths of 8 to 10 inches. This trout inhabits small, cool, clear mountain streams with riparian vegetation that forms a fairly complete canopy. Deep pools appear to be particularly important for this species, especially for survival during periods of low flows. The Gila trout is federally listed as endangered and is listed by the State of New Mexico as threatened. Currently, the Gila trout inhabits 13 streams in New Mexico (including those to which it has been introduced or reintroduced), all of them in the Gila River drainage (Propst 1999).

No critical habitat has been designated for this species.

Effects Determination: Four of the BLM-administered riparian areas considered in this FEIS occur in the Gila River Basin: Apache Box (on Apache Creek), Gila Lower Box (on the Gila River), Gila Middle Box (on the Gila River), and Blue Creek (on Blue Creek)). However, all of these riparian areas are associated with warm water portions of their respective watersheds and do not provide the cool, clear headwater stream habitat required by the Gila trout. The locations of the designated riparian areas are also outside the distribution for this species reported by Propst (1999). Consequently, the BLM has determined that the proposed management actions would have *"No Effect"* on the Gila trout.

B.2.9 Loach Minnow [*Rhinichthys (= Tiaroga) cobitis*]

Distribution and Ecology: The loach minnow is a small minnow (family Cyprinidae) that rarely exceeds a length of about 2 inches. It is a cryptic species that lives among the cobble in riffles where water velocity is moderate to rapid. Typically, the loach minnow is found in water less than 1 foot deep. Loach minnows tend to be absent from locations where the interstitial space among the cobbles becomes filled with sand or silt. Loach minnows feed primarily on aquatic insects that inhabit the riffles. Larvae and juveniles feed mainly on midge larvae and mayfly nymphs; the adult diet includes a wider variety of insect larvae.

Most reproduction by the loach minnow in New Mexico occurs over a period of approximately 6 weeks during the spring when water temperatures are between 61EF and 68EF. The specific time of spawning is probably affected by timing, duration, and volume of runoff from spring snowmelt. During spawning,

between 40 and 100 adhesive eggs are deposited on the underside of flattened rocks, and flowing water is probably necessary for good egg survival. At water temperatures between 64EF and 68EF, the eggs hatch in 4 to 5 days. Growth of the loach minnow is relatively rapid, and fish hatched in the spring typically attain a length of over 1 inch by autumn. Under optimum conditions, the fish can live for up to 3 years, although most probably they survive for less than 2 years. The maximum reported length for the loach minnow is about 2.5 inches.

The loach minnow has been eliminated from at least 80% of its historic range. In New Mexico, the greatest densities of loach minnow are found in about 3 miles of the Tularosa River, the San Francisco River near Glenwood, and the West Fork Gila River near Gila Hot Springs. Annual sampling by the NMDG&F has indicated that the status of the species has eroded over the past 10 years (Propst 1999). On the basis of this sampling, the declines in loach minnow abundance appear to be related to the presence of nonnative piscivores and human-induced modification of instream habitat. Watershed and instream activities that elevate fine sediment loads during spawning can result in suffocation of eggs and larvae, and dewatering of stream reaches can eliminate or reduce the availability of riffle habitats, fragment populations, and reduce habitat quality (Propst 1999). The loach minnow was federally listed as threatened in 1986 (USFWS 1986a) and is also listed as threatened by the State of New Mexico. A recovery plan for the loach minnow was finalized in 1991 (USFWS 1991a). Although critical habitat had been established for New Mexico, the USFWS revoked the critical habitat designation in 1998 (USFWS 1998).

The "reasonable and prudent measures" specified in the *Biological Opinion on the Mimbres Resource Area Resource Management Plan* (USFWS 1997) required 5 years of annual sampling of the Gila Lower Box and Gila Middle Box aquatic habitats to monitor trends in the local status of the loach minnow. These surveys are conducted annually in October and were completed for 1997 and 1998. In addition, aquatic habitat sampling was conducted during May and July 1999. The results of these surveys are presented in Table B.3. In the 1997 sampling, 10 of the fish were captured in the Gila Middle Box, and none were captured in the Gila Lower Box. Sampling of the same areas in 1998 resulted in the capture of 8 loach minnows from the Gila Middle Box and 1 from the Gila Lower Box. The occurrence of the loach minnow in the Gila Lower Box had not been documented since the mid-1980s. The low density of loach minnows in the Gila Lower Box may be related to the higher density of nonnative fishes that occur within this area. Nonnative fish species captured during surveys of the Gila Lower Box included red shiner (*Cyprinella lutrensis*), yellow bullhead (*Ameiurus natalis*), channel catfish (*Ictalurus punctatus*), flathead catfish (*Pylodictus olivaris*), and western mosquitofish (*Gambusia affinis*).

No critical habitat has been designated for this species. However, critical habitat has been proposed and includes the entire reach of the Gila River on public land.

Effects Determination: Three of the BLM-administered riparian areas considered in this FEIS occur in the Gila River within the known distribution area of the loach minnow: Gila Lower Box, Gila Middle Box (both on the Gila River), and Blue Creek (on Blue Creek). The loach minnow is known to occur only in the Gila Lower Box and Gila Middle Box. With only 2 years of survey data available, it is not possible to forecast a trend in the abundance of loach minnow for these sites. It is unknown whether loach minnows occur in Blue Creek, because no formal surveys have been conducted

TABLE B.3 Numbers and Density of Loach Minnows Collected during 1997, 1998, and 1999 Surveys of the Gila Middle Box and Gila Lower Box

	Gila Middle Box		Gila Lower Box	
Date	Number	Density ($No./10\ m^2$)	Number	Density ($No./10\ m^2$)
October 1997	10	0.65	0	0
October 1998	8	0.26	1	0.04
May 1999	19	NC[a]	0	NC
July 1999	-[b]	-	1	NC

[a] NC = density not calculated.

[b] A hyphen indicates not sampled.

Source: BLM files.

within the segment passing through public land. However, the very low flows that occur in this stream in some years probably limit habitat availability and establishment of permanent populations.

Because the presence of fine sediments in riffle areas decreases the suitability of these areas for use by loach minnow, adverse impacts on the loach minnow would be expected from any riparian management activities that increase sediment loads to the adjacent or downstream portions of the Gila River. Similarly, activities that cause dewatering of the river or that decrease water quality could adversely impact the loach minnow.

No grazing occurs in the riparian area in the Gila Middle Box, and the riparian area was found to be in proper functioning condition (PFC) during recent surveys. Consequently, it is believed that current management of this area is not adversely affecting the loach minnow. Two allotments (Allotment Nos. 01016 and 01051) include portions of the riparian area at either end of the Gila Lower Box, and under current management, livestock grazing is permitted within these riparian areas. At the upstream end of the Gila Lower Box, the Gila River passes through Allotment No. 01051, and limited grazing occurs in the riparian area along approximately 0.5 mile of the river. The riparian area along this portion of the river was assigned a rating of PFC during surveys conducted in 1997.

At the downstream end of Allotment No. 01051, Blue Creek joins the Gila River. Evaluation of BLM-administered riparian areas along Blue Creek for functional condition found that an upstream segment, where grazing occurs, was nonfunctional (NF), while the downstream segment (near the confluence with the Gila River), where livestock are excluded, was in PFC.

Downstream of Allotment No. 01051, the Gila River flows through several miles of the Gila Lower Box, where grazing has been excluded from the riparian area. The riparian area along this portion of the river has also been found to be in PFC. Downstream of the Box

area is currently grazed; however, funding for construction of an exclosure fence is available in fiscal year (FY) 2000. Exclusion should be complete this fiscal year or early next fiscal year.

Allotment No. 01016, located at the western (downstream) end of the Gila Lower Box, has a grazing allowance of 288 animal unit months (AUMs); relatively heavy grazing pressure occurs within a 0.5-mile section of the riparian area. This grazing has resulted in the riparian area being NF and continues to prevent recovery of this area.

The public land riparian areas along Blue Creek and the Gila River account for a very small portion of the overall watershed, and the contribution of sediments from these areas is probably very small compared with sediment inputs from U.S. Forest Service and private lands in the watershed. The recent occurrence of loach minnow in the public land portions of the Lower Gila Box is encouraging, although the data are insufficient to indicate whether this indicates an increase in loach minnow use of the area. Under the preferred alternative, the BLM would have the authority to manage the riparian areas on these two allotments for the benefit of endangered species if needed. On the basis of analysis of the available data, the BLM has determined that continuation of current management within riparian areas would result in a *"May Affect – Not Likely to Adversely Affect"* situation for the loach minnow.

Under the Adaptive Management Alternative, some changes in riparian management would be likely for public lands in the Gila River drainage, and some of these changes could provide additional benefits to the loach minnow. Under the Adaptive Management Alternative, the focus would be on management actions that strive to attain PFC for BLM-administered riparian areas. As a consequence, the riparian areas located along Blue Creek and at the downstream end of the Gila Lower Box that are NF would become the focus of adaptive management efforts and could be expected to improve within several years. Habitat quality for loach minnow within the Gila Lower Box might improve as a result. Under the Adaptive Management Alternative, the quality of habitat for loach minnow within the Gila Middle Box would not be expected to improve significantly. The BLM has determined that adoption of the Adaptive Management Alternative would result in a *"May Affect – Not Likely to Adversely Affect"* situation for the loach minnow.

Like the Adaptive Management Alternative, the Grazing Management Alternative would also lead to improvements in the functional status of the riparian areas in the Gila Lower Box that are currently listed as NF. However, attainment of PFC would likely take longer than it would under the Adaptive Management Alternative. Under the Grazing Management Alternative, no management efforts would be focused on altering the functional status of the riparian areas; rather, grazing by livestock would simply be eliminated. The BLM has determined that adoption of the Grazing Management Alternative would also result in a *"May Affect – Not Likely to Adversely Affect"* situation for the loach minnow.

B.2.10 Spikedace (*Meda fulgida*)

Distribution and Ecology: The spikedace is a small minnow that can attain a length of about 3 inches. Spikedace are usually associated with stream runs and riffles with sand, gravel, and cobble substrates and moderate water velocity. However, the specific types of habitat occupied by this species can change depending on the geographic location, season of the year, and life stage of individual fish (Propst 1999). Spikedace typically occupy areas with water depths of 1 foot or less. Mayfly larvae are one of

the principal food items for spikedace, although other insect larvae are also eaten.

Most spikedace become reproductively mature after 1 year. Spawning occurs from April through June in riffles over sand and gravel substrates, and the adhesive eggs presumably develop within the interstitial spaces of the substrate. The eggs probably hatch within 4 to 7 days after spawning, and the young reach a length of about 1.5 inch by autumn. The maximum longevity of spikedace is probably about 24 months, although most probably survive for only about 13 months (Propst 1999).

The spikedace is endemic to the Gila River drainage of southwestern New Mexico and southeastern and central Arizona. Historically, it was one of the more common species in moderate- to low-gradient streams within the drainage. In New Mexico, spikedace were moderately common in the San Francisco River, the main stem of the Gila River, and the lower reaches of the three forks of the Gila River. Today, the spikedace has been extirpated from the San Francisco River and has a discontinuous distribution in the main stem of the Gila River. It is irregularly collected in low numbers in the East Fork Gila River, regularly collected but declining in numbers in the West Fork Gila River, and may be extirpated in the Middle Fork Gila River. Spikedace currently occupy less than 10% of their historic range in Arizona and New Mexico.

The declines in the abundance and distribution of spikedace have been attributed to habitat modification and establishment of nonnative fish species. Habitat modification includes flow alteration, channelization, unnaturally high sediment loads, and loss of riparian vegetation. Nonnative fish species either prey on spikedace or compete with them for food and habitat. The spikedace was federally listed as threatened in 1986 (USFWS 1986b) and is listed by New Mexico as a threatened species. A spikedace recovery plan was finalized in 1991 (USFWS 1991b). Although critical habitat was established in New Mexico, the USFWS revoked the critical habitat designation in 1998 (USFWS 1998).

"Reasonable and prudent measures" specified in the *Biological Opinion on the Mimbres Resource Area Resource Management Plan* (USFWS 1997) required 5 years of annual sampling of the Gila Lower Box and Gila Middle Box aquatic habitats to monitor trends in the local status of the spikedace. These surveys are conducted annually in October and were completed in 1997 and 1998. In addition, aquatic habitat sampling was conducted during May and July of 1999. The results of these surveys are presented in Table B.4. During the 1997 sampling of the Gila River by researchers from the NMDG&F and the BLM, 39 spikedace were collected from the Gila Middle Box; none were collected from the Gila Lower Box. Sampling of the same areas in 1998 resulted in the capture of 212 spikedace from the Gila Middle Box and 13 from the Gila Lower Box. The spring 1999 sampling resulted in the capture of 58 spikedace from the Gila Middle Box and 26 from the Gila Lower Box. The lower density of spikedace in the Gila Lower Box may be related to the higher density of nonnative fishes that occur within this area or to the more moderate gradient of the river channel. Nonnative fish species captured during surveys of the Gila Lower Box included red shiner (*Cyprinella lutrensis*), yellow bullhead (*Ameiurus natalis*), channel catfish (*Ictalurus punctatus*), flathead catfish (*Pylodictus olivaris*), and western mosquitofish (*Gambusia affinis*).

No critical habitat has been designated for this species.

TABLE B.4 Numbers and Density of Spikedace Collected during 1997, 1998, and 1999 Surveys of the Gila Middle Box and Gila Lower Box

	Gila Middle Box		Gila Lower Box	
Date	Number	Density ($No./10\ m^2$)	Number	Density ($No./10\ m^2$)
October 1997	39	2.54	0	0
October 1998	212	6.91	13	1.21
May 1999	58	NC[a]	14	NC
July 1999	-[b]	-	12	NC

[a] NC = density not calculated.

[b] A hyphen indicates not sampled.

Source: BLM files.

Effects Determination: Three of the BLM-administered riparian areas considered in this FEIS occur in the Gila River within the known distribution area of the spikedace: Gila Lower Box, Gila Middle Box, and Blue Creek. Of these areas, the spikedace is known to occur only within the Gila Lower Box and the Gila Middle Box. Since only 2 years of survey data are available, it is not possible to forecast a trend in the abundance of spikedace for these sites. It is unknown whether spikedace occur in Blue Creek, because no formal surveys have been conducted within the segment passing through public land. However, the very low flows that occur in this stream in some years could limit habitat availability and establishment of permanent populations. Spikedace appear to be more tolerant of sediments than the loach minnow described in the previous section, although they can be affected by habitat modification that leads to unusually high seasonal sediment loads (Propst 1999).

As described previously, no grazing occurs in the riparian area in the Gila Middle Box, and the riparian area was found to be in PFC during recent surveys. Consequently, it is believed that current management of this area is not adversely affecting the spikedace. Allotment Nos. 01016 and 01051 are located at the downstream and upstream ends of the Gila Lower Box, respectively. Under current management, livestock grazing is permitted within the riparian areas of these allotments, although grazing is not allowed within the Gila Lower Box itself. At the upstream end of the Gila Lower Box, the Gila River passes through Allotment No. 01051, and a small amount of grazing occurs in the riparian area along approximately 0.5 mile of the river. The riparian area along this portion of the river was assigned a rating of PFC during surveys conducted in 1997.

At the downstream end of Allotment No. 01051, Blue Creek joins the Gila River. BLM-administered riparian areas along Blue Creek have been evaluated for functional condition. An upstream segment, where grazing is allowed, was found to be NF, while the

downstream segment (near the confluence with the Gila River), where livestock are excluded, was in PFC. Downstream of the Box area is currently grazed; however, funding for construction of an exclosure fence is available in FY 2000. Exclusion should be complete this fiscal year or early next fiscal year.

Downstream of Allotment No. 01051, the Gila River flows through several miles of the Gila Lower Box, where grazing has been excluded from the riparian area. The riparian area along this portion of the river has also been found to be in PFC.

Allotment No. 01016, located at the western (downstream) end of the Gila Lower Box, has a grazing allowance of 288 AUMs, and relatively heavy grazing pressure occurs within a 0.5-mile segment of the riparian area. This pressure has resulted in the riparian area being NF and continues to prevent recovery of this area. However, the numbers of spikedace captured in the Gila Lower Box during fish surveys in 1998 and 1999 suggest that conditions in the area are currently suitable for the species. Downstream of the Box area is currently grazed; however, funding for construction of an exclosure fence is available in FY 2000. Exclusion should be complete this fiscal year or early next fiscal year.

The public land riparian areas along Blue Creek and the Gila River account for a very small portion of the overall watershed, and the contribution of sediments from these areas is probably very small compared with sediment inputs from U.S. Forest Service and private lands in the watershed. The recent occurrence of spikedace in the public land portions of the Lower Gila Box is encouraging. Under the preferred alternative (management as outlined in the Mimbres RMP [BLM 1993]), the BLM would have the authority to modify grazing preferences on these two allotments for the benefit of endangered species if necessary. On the basis of available information, the BLM has determined that continuation of current management within riparian areas would result in a *"May Affect – Not Likely to Adversely Affect"* situation for the spikedace.

Under the Adaptive Management Alternative, some changes in riparian management would be likely for public lands in the Gila River drainage, and some of these changes could provide additional benefits to the spikedace. Under the Adaptive Management Alternative, the focus would be on management actions that strive to attain PFC for BLM-administered riparian areas. As a consequence, the riparian areas located along Blue Creek and at the downstream end of the Gila Lower Box that are NF would become the focus of adaptive management efforts and could be expected to improve within several years. Habitat quality for spikedace within the Gila Lower Box could improve as a result. Under the Adaptive Management Alternative, the quality of habitat for spikedace within the Gila Middle Box would not be expected to improve significantly when compared with current conditions. The BLM has determined that adoption of the Adaptive Management Alternative would result in a *"May Affect – Not Likely to Adversely Affect"* situation for the spikedace.

Like the Adaptive Management Alternative, the Grazing Management Alternative would lead to improvements in the functional status of the riparian areas in the Gila Lower Box that are currently listed as NF. However, attainment of PFC would likely take longer than it would under the Adaptive Management Alternative. Under the Grazing Management Alternative, no management efforts would be focused on altering the functional status of the riparian areas; rather, grazing by livestock would simply be eliminated. Under the Grazing Management Alternative, the quality of habitat for spikedace within the Gila Middle Box would not be

expected to improve significantly when compared with current conditions. The BLM has determined that adoption of the Grazing Management Alternative would also result in a *"May Affect – Not Likely to Adversely Affect"* situation for the spikedace.

B.2.11 Chiricahua Leopard Frog (*Rana chiricahuensis*)

Distribution and Ecology: The Chiricahua leopard frog is a federal candidate for listing as an endangered species. The historic range of the Chiricahua leopard frog in New Mexico included the Gila, San Francisco, Tularosa, and Blue Rivers. Once abundant within these areas, the Chiricahua leopard frog has experienced rapid declines in population levels within recent years. Although the reasons for the decline are unclear, habitat alteration as a result of water withdrawal for agriculture and industry, accelerated erosion, wetland vegetation degradation, and bullfrog and alien fish introduction are possible causes.

The Chiricahua leopard frog typically occurs at elevations of 3,000 to 8,000 feet. It is found in a variety of permanent aquatic habitats, such as montane springs, streams, ponds, lakes, marshes, stock ponds, and plunge pools of canyon streams, where adequate depth provides escape from predators. The Chiricahua leopard frog is aquatic and seldom strays far from permanent streams or large stock tanks. Suitable habitat would, in general, include permanent water (or at least permanent water during the reproductive periods and wet, muddy areas during other times, a situation that occurs in some intermittent streams). Some indication exists that the Chiricahua leopard frog has a preference for undercut banks, overhanging terrestrial vegetation, and abundant aquatic vegetation. The food habits of the Chiricahua leopard frog have not been studied in New Mexico, although, as do all leopard frogs, it likely eats a wide variety of insects and other arthropods.

Eggs are typically laid during spring and summer and are usually attached to vegetation in shallow water near the shore of ponds and streams. In New Mexico, populations occurring in thermally stable habitats may be reproductively active throughout the year, with tadpoles growing continuously during the winter months. The time from hatching to metamorphosis can range from 2 to 9 months, depending on ambient temperatures. The Chiricahua leopard frog was reportedly once abundant in the Gila Lower Box and in the Gila Middle Box, although these populations have apparently been replaced by bullfrogs.

No critical habitat has been designated for this species.

Effects Determination: With the possible exception of those in the Organ and Franklin Mountains, all of the BLM-administered riparian areas considered in this FEIS occur within the known historic distribution of the Chiricahua leopard frog. The Gila Lower Box and Gila Middle Box are known to have once supported the Chiricahua leopard frog, and it is likely that this species occurred in Blue Creek as well. Downstream of the Box area is currently grazed; however, funding for construction of an exclosure fence is available in FY 2000. Exclusion should be complete this fiscal year or early next fiscal year. While the populations within these areas have apparently declined over the past decade, there is no indication that these declines were associated with degradation of the riparian habitat. In fact, riparian habitat within the Gila Middle Box and the majority of the Gila Lower Box area has been maintained in PFC under current management practices. Impacts to Chiricahua frog habitat from livestock trampling is not a concern, because habitat is protected by fencing or terrain, which precludes livestock use of these areas. If the

declines are related to competition and predation by bullfrogs and introduced fish species, changes in riparian management alone would not affect the recovery or maintenance of the Chiricahua leopard frog. On the basis of the currently available information, the BLM has determined that all of the alternative management strategies for accomplishing the proposed action within the designated riparian areas warrant a determination of *"May Affect – Not Likely to Adversely Affect"* for the Chiricahua leopard frog.

B.2.12 New Mexican Ridge-Nosed Rattlesnake (*Crotalus willardi obscurus*)

Distribution and Ecology: The New Mexican ridge-nosed rattlesnake is a montane species endemic to New Mexico and possibly the San Luis Mountains of adjacent Chihuahua, Mexico. In New Mexico, it is known only from the Animas Mountains and very locally in the Peloncillo Mountains of the Coronado National Forest. It typically occurs at elevations between 6,000 and 8,500 feet. It is usually restricted to rocky hillsides, canyon bottoms, and talus slopes and other sites in which leaf and other litter accumulates.

As with other rattlesnakes, the New Mexican ridge-nosed rattlesnake is ovoviviparous and retains fertilized eggs in the oviduct until they hatch, at which time the female gives birth to live young. The gestation period of the species in captivity is 13 months, which suggests that broods are produced only biennially. The average brood size is about five young, with a range of two to nine young.

Prey of the New Mexican ridge-nosed rattlesnake consists primarily of small vertebrates; lizards seem to be favored. Given the cool temperatures of its nighttime environment, the New Mexican ridge-nosed rattlesnake likely is more active during the day than at night.

Critical habitat has been designated in Hidalgo County of New Mexico and includes elevations between 6,200 ft and 8,532 feet in the Bear, Indian, and Spring Canyons of the Animas Mountains.

Effects Determination: The designated riparian areas considered in this FEIS do not contain habitat for the New Mexican ridge-nosed rattlesnake. The riparian areas are below 6,200 feet in elevation. The BLM-administered riparian location closest to an area that could harbor the New Mexican ridge-nosed rattlesnake is Owl Canyon, which is in the Peloncillo Mountains within the Gray Peak Wilderness Study Area. Livestock grazing has been excluded from both of the riparian segments in Owl Canyon. Both of these areas have been found to be in PFC, and there is no reason to believe that the current management practices would pose a risk to the New Mexican ridge-nosed rattlesnake. Further, it is anticipated that there would be no substantial change in the condition of the riparian area if either the Adaptive Management Alternative or the Grazing Management Alternative was implemented. On the basis of currently available information, the BLM has determined that the alternative management strategies for accomplishing the proposed action within the designated riparian areas would have *"No Effect"* on the New Mexican ridge-nosed rattlesnake.

B.2.13 Bald Eagle (*Haliaeetus leucocephalus*)

Distribution and Ecology: Bald eagles are usually associated with medium to large perennial streams, rivers, and other water bodies that provide an adequate prey base and appropriate nesting and roosting habitat. Outside

of the major river corridors, the bald eagle has been observed to be only a migrant because of the lack of suitable habitat (BLM 1999). Winter and migrant populations seem to have increased in New Mexico. Mid-winter numbers averaged about 430 birds per year between 1990 and 1994. Only two pairs were known to nest in the state. Key habitat areas include winter roost and concentration areas. Optimal habitats center on riparian and lacustrine environments where food, shelter, and potential nest sites are in the greatest supply. Bald eagles require large trees or cliffs near water where a good supply of fish, waterfowl, or carrion is available. Jackrabbits and other mammals are also taken, especially by eagles that use dry land areas. It is believed that bald eagle declines were largely caused by pesticide-induced reproductive failure, loss of riparian habitat, and human disturbance (e.g., shooting, poisoning, and trapping).

Some bald eagles are known to migrate seasonally through the Las Cruces Field Office area. Among the specified riparian areas, only the Gila Lower Box and Gila Middle Box areas would provide potential wintering and roosting habitat with an acceptable fish prey base. No large reservoirs that would be likely to provide additional sources of prey occur in the vicinity.

No critical habitat has been designated for this species.

Effects Determination: The only designated riparian areas that are likely to provide a prey base capable of supporting bald eagles are the Gila Middle Box and the Gila Lower Box along the Gila River. Because most of the riparian habitat in these areas is currently in PFC, it is not anticipated that continuation of the current management would result in any adverse negative impacts to the bald eagle. Minor improvements in riparian condition could be expected if the Adaptive Management Alternative or Grazing Management Alternative was adopted. Improvements would occur because areas at the upstream and downstream ends of the Gila Lower Box would likely move toward PFC, through either partial or complete removal of grazing pressure on the vegetation. Future condition is important to consider, since establishment of large trees such as cottonwoods could provide future roosting or nesting habitat. It is anticipated that establishment of such trees could occur under any of the management alternatives being considered for accomplishing the proposed action. On the basis of this information, coupled with the fact that the bald eagle is primarily migratory within the Las Cruces Field Office area, the BLM has determined that implementation of any of the alternative management practices would warrant a determination of *"May Affect – Not Likely to Adversely Affect"* for the bald eagle.

B.2.14 Brown Pelican (*Pelecanus occidentalis*)

Distribution and Ecology: Rare visitors to the state, most brown pelicans found in New Mexico occur primarily as immature-aged wanderers during the summer and fall seasons. The brown pelican is usually found in marine habitats in warmer waters in North America, only rarely occurring inland. The species feeds exclusively on fish, which it usually obtains by diving head-first from heights of up to 20 meters. Given the rarity of this species in New Mexico, very little is known about its habits in the state. The reliable records are all of solitary birds, generally in subadult plumage and observed near water. When they do occur in the state, brown pelicans are most likely to be seen near larger water bodies such as lakes, and they are not typically associated with riparian habitats. Brown pelicans have not been reported from any of the designated riparian areas and would not be expected to occur there because the habitat is not suitable for their needs.

No critical habitat has been designated for this species.

Effects Determination: Because the brown pelican does not occur in the types of waters associated with the designated riparian areas, the BLM has determined that the proposed management action would have *"No Effect"* on this species.

B.2.15 Interior Least Tern (*Sterna antillarum*)

Distribution and Ecology: The interior least tern is found mainly in southeast New Mexico, in and around Bitter Lake National Wildlife Refuge. It is an occasional migrant to other counties in the state and would be considered an accidental migrant to Doña Ana County within the Las Cruces Field Office area. Presently, the only known nesting population in New Mexico is in Chaves County along the Pecos River within the refuge.

The interior least tern is a colonial nesting shorebird. It is normally associated with water, since it spends much of its time on sand bars or playas or snatching its food from the surface of the water. It primarily feeds on fish, although it also consumes crustaceans and insects. Riverine nesting areas are sparsely vegetated sand and gravel bars within a wide, unobstructed river channel, or salt (alkali) flats along the shorelines.

Channelization, irrigation, and the construction of reservoirs and pools have contributed to the elimination of much of the interior least tern's nesting habitat. In addition, recreational use of sand bars along rivers and lakes, environmental contamination, and predation have adversely affected interior least tern populations. Its habitat is susceptible to unpredictable water discharge patterns below dams that could flood nesting areas and to overgrowth of brush and trees along shorelines. Adverse management practices include creation of reservoirs, channelization, allowing altered vegetation succession, and allowing recreation on sandbars.

No critical habitat has been designated for this species.

Effects Determination: Although the interior least tern has reportedly occurred in Doña Ana County, most of the designated riparian areas in that county do not provide appropriate habitat for this species. Interior least terns use shoreline areas that contain sand and limited amounts of vegetation. Except for Isaack Lake, all of the BLM-administered riparian areas within Doña Ana County are associated with small springs and seeps that do not provide this type of habitat. Isaack Lake is an ephemeral playa that is wet only following precipitation. It does not support obligate riparian plant species and contains no fish or crustacean populations that could serve as a food source for the interior least tern. Thus, it is believed that Isaack Lake would not provide appropriate habitat for nesting least terns. On the basis of available information and because of the lack of appropriate habitat on the BLM-administered riparian areas that are being considered for the proposed action, the BLM has determined that the proposed management action would have *"No Effect"* on the interior least tern.

B.2.16 Mexican Spotted Owl (*Strix occidentalis lucida*)

Distribution and Ecology: The Mexican spotted owl occupies mountainous areas; its preferred habitat consists of dense, multistoried forests with moderately closed to closed canopies (e.g., mature and old- growth forests). These owls have also been observed in canyon systems, which appear to provide the same

microclimate or one similar to that provided by the dense multistoried forests (BLM 1999a). Mexican spotted owls use a variety of montane forest types, ranging from deciduous riparian woodlands to pinyon-juniper, pine-oak, mixed conifer, and spruce-fir woodlands. Their breeding habitat is limited to forest communities — often late seral stage conifer forests that have high commercial value. Home range for a single owl averages about 1,600 acres; that for a nesting pair averages more than 2,090 acres. Most nest trees are selected on moderate to steep slopes at elevations ranging from 6,000 to 8,000 feet. Most of the owl's activities during the breeding season occur within the nest site canyons. The owl feeds primarily on mammals, but it also preys on birds, reptiles, and insects. Foraging sites often include big logs, higher canopy closure, and dense areas of trees and snags. It drinks from small seeps and creeks.

The largest populations of Mexican spotted owls in New Mexico occur in the Gila National Forest in the west-southwestern portion of the state and in the Sacramento Mountains in the south-central portion of the state. Among the known locations of Mexican spotted owls throughout its range in 1990, 91% occurred on national forests, 4% on Indian reservations, 4% on national parks, and 1% on BLM lands.

The Mexican spotted owl is threatened by timber management practices, even-aged silviculture management practices in forest habitats, increased predation associated with habitat fragmentation, and fires. Secondary losses of habitat are due to urban and suburban expansion, water development in riparian corridors, agricultural development, fuelwood/oak harvest, reservoir development, and mining. Most riparian areas that have been lost or impaired in New Mexico have been at low to middle elevations. The importance of these riparian woodlands to the Mexican spotted owl is unknown, although winter use of these habitats has been documented. Also, such riparian areas provide dispersal corridors between semi-isolated montane habitat regions.

Habitat surveys of BLM-administered lands within the Las Cruces Field Office area were conducted in 1992 and 1993 to evaluate the availability of potential nesting and foraging areas for the Mexican spotted owl (SWCA 1993). No Mexican spotted owls were observed during the surveys, and it was found that canopy cover was too low (<40%), and vegetation was too short (#6 ft) to be suitable for the Mexican spotted owl. The presence of known Mexican spotted owl predators such as great horned owl and red-tailed hawk would also preclude the use of the cliffs overlooking BLM-administered riparian areas for foraging or nesting.

No critical habitat has been designated for this species in New Mexico.

Effects Determination: Because no suitable habitat is present within the BLM-administered riparian areas, the BLM has determined that implementation of the proposed management action would have *"No Effect"* on the Mexican spotted owl.

B.2.17 Mountain Plover (*Charadrius montanus*)

Distribution and Ecology: The mountain plover is a lowland grassland species. It prefers flat, short-grass prairie and tends to avoid taller grasses and hillsides. Suitable habitat occurs in areas often grazed by livestock. It prefers habitat consisting of large areas of bare ground and short grass (less than 4-inch-tall stubble). Such requirements are met by rangelands, prairie dog towns, disturbed areas around windmills and water tanks, and barren playas. Nests are often located near woody plants, cow manure, rocks, fence posts, and power poles. The bird is territorial only during the breeding season. Territory size in Colorado is about 39.5 acres

(territory size in New Mexico has not been determined). Mountain plovers do not require a free water source. They are insectivorous and forage for prey on the ground.

Mountain plovers have been documented to prefer grazed areas over nongrazed areas for breeding. Thus, it is not expected that cattle grazing has a detrimental effect on the mountain plover. The leading causes of death for nestlings are predation, poor nutrition, and disease. Mining and conversion of native grasslands to agricultural fields have had the greatest impact on mountain plover populations.

The mountain plover is likely to occur in Hidalgo and Luna Counties within the Las Cruces Field Office lands, particularly in short-grass prairie regions. Although it rarely occurs in either of these counties, there are reports of breeding from Hidalgo County. The most likely BLM-administered riparian areas within these counties in which the mountain plover would occur would probably be in the vicinity of the Lordsburg Playas (Hidalgo County); these areas are dry during most of the year. Impacts to mountain plovers have occurred from conversion of grasslands to croplands and urban uses, prairie dog control, mineral development, and domestic livestock management.

Livestock management practices are now encouraging vegetation growth through the development of grazing systems that allow growing season rest and limit overall utilization levels. Such actions are helping to restore both uplands and riparian areas to PFC. However, such actions could decrease mountain plover habitat, especially where grass may exceed the height preferred by the bird. This situation would be most likely to occur within riparian exclosures, which in some cases may also include some upland acreage. However, such exclosures are intermingled and in close proximity to grazed pastures that provide the lower stubble height preferred by mountain plovers. Also, livestock watering facilities provide the preferred habitat for mountain plovers. Even when livestock grazing management strategies to improve vegetative cover are incorporated, a mosaic of vegetation and bare ground would still occur throughout BLM-administered lands, as well as on adjacent private, state, and Indian reservation lands. Currently, grazing is allowed in the vicinity of the Lordsburg Playas area, and these grazed areas could provide suitable habitat for the mountain plover.

No critical habitat has been designated for this species.

Effects Determination: Mountain plovers typically do not occur within riparian areas; they prefer grasslands that are grazed to maintain suitable vegetation height. Of the BLM-designated riparian areas considered in this FEIS, only the Lordsburg Playas are likely to provide any suitable habitat for the mountain plover. These playas are currently open to grazing, and riparian vegetation occurs only around the margins of the playas. The functional conditions of the riparian areas have not been evaluated. On the basis of the life history information available on the mountain plover, it is anticipated that maintaining the current management (grazing allowed) of the Lordsburg Playas could benefit the mountain plover. It is anticipated that exclusion of grazing in the vicinity of the playas would probably have little effect on the mountain plover, because the playa margins are unlikely to expand to any great degree, and the barren nature of the ephemeral portion of the playa lake beds would probably not change greatly. On the basis of currently available information, the BLM has determined that the proposed management action would have *"No Effect"* on the mountain plover.

B.2.18 Northern Aplomado Falcon (*Falco femoralis septentrionalis*)

Distribution and Ecology: The Aplomado falcon has been listed as endangered in the state of New Mexico, with a potential to occur in all four of the counties encompassed by the FEIS area. These falcons are extremely rare in the state. They are found in desert grasslands and shrublands at lower elevations (2,800 to 5,500 ft). They typically occur in open terrain with scattered trees and low ground cover and require a good supply of suitable nesting platforms, particularly mesquite and yuccas. The species has been observed only rarely in the United States in recent years. Past records indicate, however, that in New Mexico, it has been typically associated with yucca grasslands and adjacent shrubby habitats at lower elevations. The bird is reported to be a rapid and graceful flyer, but it also spends much time perched — including on the ground.

The few nests observed in New Mexico were in areas of yucca grassland. The Aplomado falcon usually nests in trees or tall shrubs where it appropriates the nests of other birds, including Chihuahuan ravens (*Corvus cryptoleucus*) and Swainson's hawks (*Buteo swainsonii*). There is no indication that the Aplomado falcon relies on riparian areas for food, water, or nesting sites.

No critical habitat has been designated for this species.

Effects Determination: Because the Aplomado falcon does not utilize riparian areas, the BLM has determined that the alternatives for accomplishing the proposed management action would have *"No Effect"* on this species.

B.2.19 Southwestern Willow Flycatcher (*Empidonax traillii extimus*)

Distribution and Ecology: The southwestern willow flycatcher is a riparian obligate that nests in thickets associated with rivers, streams, and other wetlands. Typical nesting habitat includes a dense growth of shrubs and small trees, often with a scattered overstory of cottonwoods and/or willows. Surface water or saturated soils are usually close by. While the composition of woody species varies over the southwestern willow flycatcher's range, the unifying requirements for nesting habitat are a high percentage of canopy cover (greater than 85%) and high vertical foliage density from ground to canopy (BLM 1998). Four general habitat types used throughout the bird's range include (1) monotypic high-elevation willow, (2) monotypic exotic, (3) native broadleaf dominated, and (4) mixed native/exotic. Regardless of the plant species composition or height, occupied sites always have dense vegetation in the patch interior. However, these dense patches are often interspersed with small openings, open water, or shorter/sparser vegetation, which creates a mosaic that is not uniformly dense (Sogge et al. 1997). Southwestern willow flycatchers have nested in patches ranging from two acres to more than several hundred acres. They have not been found to nest in narrow, linear riparian habitats that are less than 33 feet wide, but they will use such habitats during migration (Sogge et al. 1997).

During migration, southwestern willow flycatchers may occur in nonriparian habitats and in riparian habitats unsuitable for breeding. Such migration stopover areas, even though not used for breeding, may be critically important

resources affecting local and regional southwestern willow flycatcher productivity and survival (Sogge et al. 1997).

The southwestern willow flycatcher arrives on breeding grounds in late April and May, begins nesting in late May and early June, and fledges young from late June through mid-August. These flycatchers typically lay three to four eggs (one a day), which are incubated for about 12 days. Young fledge 12 to 13 days after hatching. Breeding birds usually raise one brood per year but have been documented to raise two. They have also been documented to renest after a nest failure. The life span of the southwestern willow flycatcher is probably 2 to 3 years (BLM 1998).

Riparian habitat loss, fragmentation, and modification have been major contributors to the endangered status of the southwestern willow flycatcher. Habitat loss is attributable to urban encroachment, water diversions and impoundments, channelization, livestock grazing, and hydrological changes resulting from numerous land uses. Additional threats to the southwestern willow flycatcher include nest parasitism by the brown-headed cowbird, replacement of native riparian vegetation by exotic or upland species (particularly saltcedar), logging, pesticides, and predation (USFWS 1992; BLM 1998). Although riparian areas are not often considered as fire-prone, several sites with relatively large numbers of breeding southwestern willow flycatchers have recently been destroyed by fire (Paxton et al. 1996), and many others are at risk to similar catastrophic loss. Fire danger in these riparian systems may be exacerbated by conversion from native to exotic vegetation (e.g., saltcedar), diversions or reductions of surface water, and drawdown of local water tables (Sogge et al. 1997).

The total number of breeding season territories of the southwestern willow flycatcher is estimated at 300 to 500 (Sogge et al. 1997). Many site location territories are occupied by single, unmated males. Currently, only five site locations are known to have more than 20 territories; one of these locations occurs in New Mexico along the Gila River (Grant County). This is also the largest known site, with an estimated 135 territories (BLM 1998). In recent years, there have been 135 to 170 territories on eight drainages in New Mexico. Small groups of one to seven territories have been detected on the Rio Grande, Chama, Zuni, San Francisco, and Gila Rivers and on Bluewater Creek. In 1995, there were about 170 territories with approximately 71 nests and 19 observed or suspected fledglings (BLM 1998).

Within the FEIS area, southwestern willow flycatchers are known to occur in BLM-administered riparian areas associated with the Gila River in the Gila Lower Box. Surveys conducted in 1997, 1998, and 1999 indicated that numerous territories were established in 1998 and 1999, and that young southwestern willow flycatchers were fledged in each of these three years. During the 1999 surveys, 9 nests were found and 22 young were fledged; this is a substantial increase over the previous year, when 4 nests and 6 fledglings were reported.

Critical habitat has been designated for the southwestern willow flycatcher in New Mexico.

Potential Issue – Livestock Grazing Management Activities: Table B.5 displays the livestock grazing management activities occurring within those riparian areas that have been identified as long-term potential or current habitat for the southwestern willow flycatcher (Silva 1998).

Upstream of the Gap Fence is not excluded from grazing because topography restricts access, which does not allow for fence construction. This area is currently in PFC, is lightly grazed, if grazed at all, and supports the

TABLE B.5 Livestock Grazing Management within Riparian Areas Identified as Current or Potential Southwestern Willow Flycatcher Habitat

Name of Riparian Area	Riparian Area Size (Acres)	Livestock Grazing Management	Potential Habitat[a]
Gila Lower Box			
Upstream of Gap Fence	65	Not excluded, but grazing restricted by topography	CH
Nichols Area	45	Excluded	CH
The Box	270	Excluded	CH
Downstream of Box	34	Grazed	LT

[a] CH = current habitat; LT = long-term.

largest population of southwestern willow flycatcher on public land within the Gila Lower Box area.

Downstream of the Box area is currently grazed; however, funding for construction of an exclosure is available in FY 2000. Exclusion should be complete this fiscal year or early next fiscal year.

Planned Monitoring Activities: Photo plots of the Gila Lower Box are taken every two years. Reevaluation of PFC would be implemented as required by changes in management or as habitat improves on those areas not currently in PFC. PFC areas may be evaluated within five years. Upstream of the Gap Fence Area is subject to none to slight grazing throughout the year. The area is in PFC with an upward trend, and this slight grazing has not detrimentally impacted the riparian habitat. Observation and monitoring of riparian conditions in this area will be accomplished throughout the growing and nesting seasons for the southwestern willow flycatcher. If a problem with habitat degradation develops, corrective actions will be implemented.

Southwestern Willow Flycatcher Habitat within the Las Cruces Field Office: Potential and existing southwestern willow flycatcher habitat on public land is limited to those areas along the Gila River and an adjacent reach of Blue Creek (segment two). The only remaining area that needs livestock management is the area downstream of the Box. This area will be excluded from grazing this fiscal year or early next fiscal year.

Existing management for the remaining southwestern willow flycatcher habitat will remain the same. The Las Cruces Field Office will continue to protect and enhance all southwestern willow flycatcher habitat within the FEIS area.

Effects Determination: Southwestern willow flycatcher surveys conducted over the past few years seem to indicate that the current management is conducive to increasing the numbers of southwestern willow flycatcher nests and fledglings within the Gila Lower Box and Blue Creek riparian areas. Although southwestern willow flycatchers might also be able to utilize other areas in the Gila River

drainage (e.g., the Gila Middle Box), it has been determined that the types of habitat that exist in these other areas do not qualify them as potential territories for southwestern willow flycatcher. While most of the potential southwestern willow flycatcher habitat on BLM-administered riparian areas within the FEIS area is currently in PFC, the riparian area associated with Segment 2 of Blue Creek is in functional-at risk, upward trend condition. Consequently, there could be a small increase (approximately 14 acres) in the amount of habitat available to the southwestern willow flycatcher under the Adaptive Management and Grazing Management Alternatives for completing the proposed action. Under the preferred alternative (Current Management), the BLM would have the authority to manage the riparian areas within the associated allotments for the benefit of endangered species, including exclusion of grazing or other types of livestock management.

On the basis of available information on the life history of the southwestern willow flycatcher, survey data collected over the past few years, and the existing condition of riparian areas containing potential or actual southwestern willow flycatcher habitat, the BLM has determined that implementation of any of the alternative management practices would warrant a determination of *"May Affect – Not Likely to Adversely Affect"* for this species.

B.2.20 Whooping Crane (*Grus americana*)

Distribution and Ecology: The whooping crane breeds mainly at Wood Buffalo National Park in Canada and winters primarily along the Gulf Coast of Texas at the Aransas National Wildlife Refuge. A few whooping cranes raised by foster parents (sandhill cranes) at Grays Lake, Idaho, migrate with sandhill cranes to the Rio Grande Valley, New Mexico. These birds (down from a high of 33 to now only 4) winter mainly in the Bosque del Apache National Wildlife Refuge, located about 20 miles south of Socorro, New Mexico. This population is designated as a nonessential experimental population, and it is expected that these birds will die by the year 2006. Pairing and reproduction of this experimental flock never occurred.

These whooping cranes select an open expanse of shallow water in rivers, lakes, reservoirs, and native wetlands for nightly roosting. These sites include stock ponds, marshes, and flooded grain fields. Feeding sites include these wetland types and agricultural fields (particularly with waste grain or sprouting crops). They feed on small grains, alfalfa, winter wheat, aquatic plants, invertebrates, and small vertebrates. They typically roost on sand bars within the Rio Grande floodplain. These cranes seasonally move up and down the Rio Grande corridor during their spring and fall migrations; however, they would be considered rare visitors to the area (BLM 1999). Whooping cranes adhere to ancestral breeding areas, migratory routes, and wintering grounds, thus leaving little possibility of pioneering into new regions.

The conversion of wetlands and prairies to croplands contributed to the drastic decline of this species. Collisions with power lines and fences, predators, and disease are known hazards to wild whooping cranes in the Rocky Mountains.

No suitable riparian/agricultural habitat for whooping cranes occurs on BLM-administered riparian areas considered in this evaluation. In addition, the limited number of individuals left in the experimental population makes it extremely unlikely that the whooping crane would occur at any of the specified riparian and associated aquatic habitats.

No critical habitat has been designated for this species in New Mexico.

Effects Determination: Because the BLM-administered riparian habitats within the project area and the associated upland rangelands do not provide habitat for the whooping crane, the BLM has determined that implementation of any of the alternatives for accomplishing the proposed action would have *"No Effect"* on the whooping crane.

B.2.21 Black-Footed Ferret (*Mustela nigripes*)

Distribution and Ecology: The black-footed ferret is generally associated with prairie dog towns in grassland plains, semiarid grasslands, and adjacent mountain basins. It is believed that the black-footed ferret was extirpated from New Mexico, since it has not been seen in the wild since 1934. However, a captive breeding project was initiated in 1998 at the Vermejo Park Ranch near Raton in Colfax County, New Mexico (BLM 1999).

The decline in prairie dog colonies, and consequently the black-footed ferret, was related to prairie dog poisoning programs. Also, land use practices that converted plains to agricultural and urban areas have affected the species (BLM 1999). No prairie dog colonies of the size necessary to support black-footed ferrets (more than 80 acres) occur on any of the allotments associated with the riparian areas being evaluated. Livestock grazing is benign or beneficial to prairie dog colony development.

No critical habitat has been designated for this species.

Effects Determination: Because there is no suitable habitat (e.g., large prairie dog colonies) for the black-footed ferret on allotment uplands, because riparian areas are themselves not suitable black-footed ferret habitat, and because the black-footed ferret was extirpated from New Mexico, the BLM has determined that implementation of any of the alternatives for accomplishing the proposed action would have *"No Effect"* on the black-footed ferret.

B.2.22 Black-Tailed Prairie Dog (*Cynomys ludovicianus*)

Distribution and Ecology: The black-tailed prairie dog historic range included 11 states, Canada, and Mexico (USFWS 2000a). The species is currently present in 10 states, including New Mexico. Historically, the black-tailed prairie dog occupied 6,640,000 acres of habitat in New Mexico; today, however, it is estimated that there are only 39,000 acres of occupied habitat (USFWS 2000a.). This species is generally associated with grassland plains and other upland areas that have soils that can be easily excavated. Riparian/wetland habitats have not been identified as being utilized by this species.

Within the four-county portion of the Las Cruces Field Office, only Hildago County is considered potential habitat for this species (USFWS 2000b).

The black-tailed prairie dog is a very social species and lives in large populations called colonies or towns. Historically, these colonies contained thousands of individuals and covered hundred of thousands of acres; today, these colonies are much smaller and widely scattered (USFWS 2000a).

The three major impacts that have had a substantial influence on black-tailed prairie dog populations include (1) conversion of prairie grasslands to croplands, (2) large-scale control efforts to reduce competition between prairie dogs and livestock, and (3) sylvatic plague. Habitat loss and control efforts appear to be the major factors for an overall reduction of this species' habitat in the late 19th and early 20th centuries. However, it is believed that sylvatic

plague is the most likely factor for recent reductions in the overall prairie dog population (USFWS 2000a).

Effects Determination: Since the black-tailed prairie dog does not use riparian areas as habitat and the three major impacts affecting the prairie dog are not associated with management of riparian/wetland habitats, the BLM has determined that riparian and aquatic habitat management for the specific riparian areas would result in "*No Effect*" on the black-tailed prairie dog. Riparian and aquatic habitat management would protect and enhance riparian areas in the four-county area of the Las Cruces Field Office. Although such management practices would benefit many wildlife species and resources within the project area, it is not expected that such efforts would provide measurable benefits to the black-tailed prairie dog. Because riparian and aquatic habitat management would have "*No Effect*" on the black-tailed prairie dog, there would be no incremental increase in the existing or foreseeable future cumulative impacts within the Las Cruces Field Office for this species.

B.2.23 Jaguar (*Panthera onca*)

Distribution and Ecology: The jaguar is the largest species of cat native to the Western Hemisphere. Jaguars are muscular cats with relatively short, massive limbs and a deep-chested body. They are cinnamon-buff in color with many black spots; melanistic forms are also known, primarily from the southern part of the range. The jaguar's range in North America includes Mexico and portions of the southwestern United States. A number of jaguar records are known from Arizona, New Mexico, and Texas. Additional reports exist for California and Louisiana.

Jaguars breed year round and widely within their range; however, at the southern and northern ends of their range, there is evidence of a spring breeding season. Gestation is about 100 days; litters range from 1 to 4 cubs (usually 2). Cubs remain with their mother for nearly 2 years. Females begin sexual activity at 3 years of age, and males at 4. Studies have documented few wild jaguars more than 11 years old.

The list of prey taken by jaguars across their range includes more than 85 species, such as peccaries (javelina), capybaras, pacas, armadillos, caimans, turtles, and various birds and fish. Javelina and deer are presumably mainstays in the diet of jaguars in the United States and Mexican borderlands.

Jaguars are known from a variety of habitats. They show a high affinity to lowland wet habitats, typically swampy savannas or tropical rain forests. However, they also occur, or once did, in upland habitats in warmer regions of North and South America.

Within the United States, jaguars have been recorded most commonly from Arizona, but there are also records from California, New Mexico, and Texas, and reports from Louisiana. Currently there is no known resident population of jaguars in the United States, though they still occur in northern Mexico. There have been no reports of jaguars on BLM-administered public land in the Las Cruces Field Office area.

No critical habitat has been designated for this species.

Effects Determination: Although jaguar could occasionally occur on public lands in riparian areas, it seems highly unlikely given the rarity of the species in New Mexico. Because of the current conditions of the BLM-administered riparian areas under consideration and the life history information for the jaguar, which indicate that it is not highly dependent on riparian areas for survival, it appears unlikely that the riparian management alternatives under

consideration would adversely affect the jaguar. However, habitat improvement that would occur under the proposed action could enhance potential riparian habitat for this species. Therefore, the BLM has determined that implementation of any of the alternative management practices would warrant a determination of *"May Affect – Not Likely to Adversely Affect"* for this species.

B.2.24 Lesser Long-Nosed Bat (*Leptonyteris curasoae yerbabuena*)

Distribution and Ecology: In New Mexico, the lesser long-nosed bat is known only in Hidalgo County, where it occurs regularly in the Peloncillo Mountains. The typical habitat for this species includes canyons and nearby areas in desert grassland and shrublands, including the lower edges of oak woodland savannas. The lesser long-nosed bat usually roosts in caves during the day, and small groups begin to emerge about 1 hour after sundown to feed on the nectar of plants such as agave.

No critical habitat has been designated for this species.

Effects Determination: Because the habitat for the lesser long-nosed bat does not typically include riparian areas, the BLM has determined that implementation of any of the alternatives for accomplishing the proposed action would have *"No Effect"* on this species.

B.2.25 Mexican Gray Wolf (*Canis lupus baileyi*)

Distribution and Ecology: Historically, the Mexican gray wolf was widespread in the Southwest and probably rather common throughout much of New Mexico. However, within the past 20 years, there have only been a few reports of this species in southern Hidalgo County. The reported individuals presumably came from Mexico, where the species has continued to decline. All other populations in New Mexico are believed to be extinct.

The Mexican gray wolf is believed to use a wide variety of habitats, including both upland and riparian. Runways or hunting beats probably followed streambeds, washes, old game trails, and old roads. The food of the gray wolf consists mainly of larger ungulates; historically, the principal native prey for this species in the Southwest and Mexico were probably deer (*Odocoileus* spp.). Later, with the movement of Europeans and their livestock to the area, wolves turned, to varying degrees, to this livestock for prey. Now livestock may be the major prey in Mexico, a factor that has been a main stimulus for control programs that have been largely responsible for population declines.

Critical habitat has been designated for this species.

Effects Determination: Although the Mexican gray wolf could occasionally occur on public lands in riparian areas, it seems highly unlikely, given the rarity of the species in New Mexico. Because of the current conditions of the BLM-administered riparian areas under consideration and life history information on the Mexican gray wolf, which indicates that it is not highly dependent on riparian areas for survival, it appears unlikely that management alternatives under consideration would adversely affect this species. However, continued improvement of riparian areas could enhance potential habitat of this species. Therefore, the BLM has determined that implementation of any of the alternative management practices would warrant a determination of *"May Affect – Not Likely to Adversely Affect"* for the Mexican gray wolf.

B.2.26 Mexican Long-Nosed Bat (*Leptonycteris nivalis*)

Distribution and Ecology: During the day, Mexican long-nosed bats roost in caves in large colonies. Strong fliers that can hover like hummingbirds, these bats come out at night to feed on the nectar and pollen of desert plants such as agaves. With long noses and tongues, they are well adapted for nectar-feeding. They also help the agave plants reproduce by spreading pollen.

In the United States, the Mexican long-nosed bat is found in southwest Texas and southwest New Mexico. Two specimens collected in 1963 and 1967 in Hidalgo County were recently identified as the Mexican long-nosed bat, and the presence of this species was reconfirmed in the Animas Mountains in 1992. Mexican long-nosed bats from southwestern New Mexico may represent summer migrants from western Mexico.

In New Mexico, Mexican long-nosed bats inhabit upper desert scrub-pine oak woodlands in or near mountainous areas. Characteristic vegetation in these areas includes agaves, junipers, oaks, and Mexican pinyon.

No critical habitat has been designated for this species.

Effects Determination: Because the habitat for the Mexican long-nosed bat does not typically include riparian areas, the BLM has determined that implementation of any of the alternatives for accomplishing the proposed action would have *"No Effect"* on this species.

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APPENDIX C:

ENDANGERED SPECIES ACT CONSULTATION

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ENDANGERED SPECIES ACT CONSULTATION

As required under Section 7 of the Threatened and Endangered Species Act, a draft Biological Evaluation was included in the *Draft Environmental Impact Statement for Riparian and Aquatic Habitat Management in the Las Cruces Field Office – New Mexico* (DEIS). On the basis of the draft Biological Evaluation, informal consultations were initiated with the U.S. Fish and Wildlife Service (USFWS). The informal consultations produced a number of comments and suggested changes that were incorporated into the final Biological Evaluation presented in the Final EIS (FEIS). Formal consultations were initiated on May 1, 2000, when the final Biological Evaluation was presented to the USFWS. The USFWS delivered a formal Biological Opinion to the Las Cruces Field Office on June 2, 2000.